

AAU NATIONAL POLICIES

IF ANY PORTION OF ANY POLICY IS HELD TO BE INVALID, THE BALANCE NOTWITHSTANDING,
SHALL CONTINUE IN FULL FORCE AND EFFECT.

I. **MEMBERSHIP POLICIES.** By submitting or authorizing an application for membership in the AAU, the applicant agrees and stipulates to the following terms and conditions:

A. The applicant agrees and consents to receive and accept all written or oral communications, including but not limited to e-mails, facsimiles, mail-outs, advertisements, and telephone calls from the AAU, its employees, Officers, agents, attorneys, volunteers, members, affiliates, subordinates, host organizations and clubs.

B. **BINDING ARBITRATION.**

1. **BY APPLYING FOR AAU MEMBERSHIP (OR HAVING A THIRD PARTY SUBMIT AN APPLICATION FOR MEMBERSHIP IN THE AAU ON BEHALF OF THE APPLICANT), OR UPON ENTERING ANY AAU EVENT, THE APPLICANT/MEMBER/ENTRANT AND THE AAU AGREE TO SUBMIT ALL CIVIL DISPUTE(S) TO BINDING ARBITRATION. THE ARBITRATION HEARING SHALL BE HELD IN THE COUNTY OF THE LOCALE OF THE AAU NATIONAL OFFICE UNLESS OTHERWISE SO SET BY THE AMERICAN ARBITRATION ASSOCIATION (“AAA”). THE PARTIES FURTHER AGREE TO SUBMIT THE MATTER TO ONE (1) ARBITRATOR PURSUANT TO THE RULES SET OUT BY THE AAA, INCLUDING THE FEDERAL ARBITRATION ACT AND TO THE ARBITRATION CODE OF THE NATIONAL OFFICE’S RESIDENT STATE, WHICH IS CURRENTLY FLORIDA. DUE TO THE EXPEDITED NATURE OF ARBITRATION DEPOSITION(S), REQUESTS FOR ADMISSIONS, AND REQUESTS FOR PRODUCTION OF DOCUMENTS ARE STRICTLY DISCOURAGED AND WILL NOT BE ALLOWED WITHOUT AN ORDER FROM AAA; AND, TO AID IN EXPEDITING ANY SUCH ARBITRATION, IN ORDER TO BE CONSIDERED, A REQUEST FOR ANY SUCH ORDER, IF ANY, SHALL ACCOMPANY THE FILING OF THE APPLICABLE PARTY’S FIRST SUBMISSION TO AAA OR SUCH REQUEST SHALL BE WAIVED AND/OR DENIED. A LIST OF WITNESSES AND ALL EXHIBITS TO BE INTRODUCED AT THE HEARING WILL BE EXCHANGED AT LEAST TWENTY (20) DAYS PRIOR TO THE HEARING. THE PARTIES AGREE THAT THE BINDING ARBITRATION SHALL BE IN LIEU OF ANY LITIGATION BY AND BETWEEN ALL OF THE PARTIES RELATED TO THE DISPUTE. IF ANY PORTION OF THE ARBITRATION AGREEMENT SHALL BE DECLARED INVALID OR UNENFORCEABLE, THE REST OF THE AGREEMENT (TO SO ARBITRATE) SHALL REMAIN IN FULL FORCE AND EFFECT. [REV. 10/06, 3/09]**

2. **THE PARTIES DECLARE THAT IT IS THEIR CLEAR AND UNMISTABLE INTENT FOR THE ARBITRATOR TO DETERMINE ANY AND ALL QUESTIONS OF ARBITRABILITY, IF ANY. ANY OBJECTION TO THE ARBITRATOR'S JURISDICTION, INCLUDING ANY OBJECTIONS WITH RESPECT TO THE EXISTENCE, SCOPE OR VALIDITY OF THE ARBITRATION AGREEMENT SHALL BE DECIDED BY THE ARBITRATOR. IF, HOWEVER, FOR ANY REASON, (SUCH) ARBITRATION IS DECLARED INVALID BY ANY COURT, IN THE ALTERNATIVE TO ARBITRATION, THE PARTIES AGREE TO WAIVE A JURY AND AGREE THAT ANY LEGAL ACTION BETWEEN THE PARTIES SHALL BE COMMENCED EXCLUSIVELY IN THE CIRCUIT COURT OF THE NINTH JUDICIAL DISTRICT FOR ORANGE COUNTY, FLORIDA, OR TO ANY OTHER COURT SITTING IN THAT COUNTY HAVING SUBJECT MATTER JURISDICTION, PURSUANT TO THIS FORUM SELECTION CLAUSE, WHICH IS AGREED TO BY THE PARTIES. [Rev. 3/09]**
3. **THE TIME LIMIT (STATUTE OF LIMITATIONS) FOR BRINGING ANY ACTION SHALL BE ONE (1) YEAR.**
4. **DAMAGES. THE SUCCESSFUL PARTY IN ANY SUCH ARBITRATION AND/OR LITIGATION SHALL BE ENTITLED TO BE REIMBURSED FOR ITS ACTUAL AND CONSEQUENTIAL DAMAGES (BUT NOT PUNITIVE OR EXEMPLARY DAMAGES, IT BEING THE INTENT OF THE PARTIES TO HEREBY WAIVE ANY RIGHT TO SEEK AND THE PARTIES HEREBY COVENANT NOT TO SEEK, ANY PUNITIVE OR EXEMPLARY DAMAGES AND FURTHER AGREE THAT NO CLASS ACTION MATTERS SHALL BE BROUGHT). [Rev. 10/06, 3/09]**

C. Indemnification/Assumption of Risk.

1. The member, applicant and/or participant releases and forever discharges, and covenants not to sue the Amateur Athletic Union of the U.S., Inc ("AAU"), AAU's Districts (formerly known as Associations), the Host (of the Event), Local Organizing Entity, and if applicable owners and lessors of premises upon which the activity takes place, (the foregoing collectively, including without limitation, the AAU, hereinafter for convenience referred to as the « Releasees »), together with the respective administrators, members (including all categories), volunteers, participants, sponsors and advertisers, together with the insureds, and the parent related, affiliated, subsidiary companies, and affiliated committees, as well as the officers, directors, agents, attorneys, employees, representatives, successors and assigns of each of the Releasees entities, and any other party indemnified and held harmless by the AAU (each considered one of the Releasees herein) from all liability, claims, demands, losses, or damages of the Member, Applicant, and/or Participant, caused or alleged to be caused in whole or in part by the action, inaction or negligence of the Releasees or otherwise, including but not limited to negligent rescue operations, negligent security, travel and recreation operations and activities; and further agree that if despite this release and waiver of liability, assumption of risk, and indemnity policy, the Member, Applicant and/or Participant or anyone on

behalf of the Member, Applicant and/or Participant, makes a claim against any of the Releasees, the Member, Applicant and/or Participant and/or his/her parent or guardian will indemnify, save and hold harmless each of the Releasees from any litigation expenses, attorney's fees, loss, liability, damage, or cost which may be incurred as the result of such a claim. [Rev. 10/06]

2. The Member, Applicant and/or Participant understand that : (a) athletic activities involve risks and dangers of serious bodily injury, including permanent disability, paralysis, and death (« Risks ») ; (b) these Risks and dangers may be caused by the Member, Applicant, and/or Participant's own actions or inactions, the actions or inactions of others participating in the activity, the condition in which the activity takes place, or the negligence of others ; (c) there may be other risks and social and economic losses either not known to the Member, Applicant, and/or Participant, or not readily foreseeable at this time ; and the Member, Applicant, and/or Participant accepts and assumes all risks and all responsibility for losses, costs, and damages the Member, Applicant, and/or Participant incurs as a result of participation in the activity.

D. Administrative Remedies.

1. Applicant agree(s) to comply with all the provisions of the AAU Code, and the rules and regulations of the AAU Sports and activities. Further, applicant acknowledge(s) that the AAU Code establishes a process by which disputes with the AAU or any entity of the AAU shall be adjudicated. Applicant agree(s) to submit any dispute to the AAU Judiciary, to exhaust all administrative procedures thereunder, and to abide by the final resolution of the matter. The applicant acknowledges that the AAU is not a state actor, and that the due process, which is applicable to all disputes concerning the AAU is the AAU Code and which includes its Policies, as set out herein.
- 2, Members who do not follow the Administrative Procedures of the AAU, including but not limited to binding arbitration, as set out in the AAU Code (which includes its Policies), i.e. by filing litigation against the AAU and/or its members, shall be denied participation in the AAU. Litigation against the AAU brought by non-members of the AAU shall result in denial of (future) participation in the AAU as to said non-members, whether individual(s) or organization(s). [Added 10/07]

E. Sexual Misconduct.

It is the policy of the AAU to deny participation in the AAU to any individual for whom there is reasonable cause to believe that they have engaged in sexual misconduct. For the purposes of this policy, reasonable cause shall exist when:

1. Criminal or civil charges have been filed against an individual alleging sexual misconduct.
2. The individual has been convicted of a crime involving sexual misconduct.
3. Written allegations of sexual misconduct against the individual of reasonable probative value have been submitted to the AAU; or

4. The individual has been accused of sexual misconduct and the accusations have reasonable probative value.

Any person denied participation in the AAU pursuant to this policy may seek a review or reconsideration pursuant to the applicable procedures under the AAU Code.

F. Felony and Misconduct Convictions. Any person who has been convicted of a felony (which is herein defined as any offense, which carries a potential punishment of confinement of greater than one (1) year, irrespective of how the offense is characterized in the particular jurisdiction, venue, or locale), or any offense involving sexual misconduct, may not apply for membership except directly through the National Office. The President of the AAU shall appoint one or more members of the AAU (Reviewer) to determine whether the application should be accepted. The criteria used by the Reviewer is whether the best interests of the AAU are served by accepting the application.

Decisions of the Reviewer may be appealed to the National Board of Review; however appeals do not stay the action of the Reviewer unless an Order for Stay is issued by the Board of Review Chair. The Reviewer may require the applicant to provide any information necessary to enable the Reviewer to make a decision and may make any other inquiry, investigation or interview to assist the inquiry.

G. Misrepresentation.

1. AAU individual membership applications shall include the following language :

« By paying for authorizing payment of my annual membership dues, I certify that : 1) I have never been convicted of any sex offense nor felony ; or if so, I must apply for membership (and receive approval) through the AAU National Office ; and, 2) this application is correct in every material aspect, including but not limited to my (street) address and birth date. The Applicant agrees to be bound by the AAU Code, including all AAU Policies, which are available for review on the AAU website at : www.aausports.org.
NOTE: Parent/Guardian signature required if member is under 18 years old.

2. If an applicant for membership fails to disclose a conviction for a felony or sexual misconduct or submits a membership application containing material information that is false (for purposes of this Policy any information as to conviction of a felony or any sex offense, as well as the applicant's (street) address or birth date shall be considered to be material, and if misrepresented, shall constitute fraud), then any membership acquired has been fraudulently obtained and is void. When the AAU has reasonable cause to believe that a membership has been fraudulently obtained, it may void the membership without notice or hearing and require that further application be made through the National Office as provided by this policy. Any person denied membership in the AAU pursuant to this Policy may seek a review or reconsideration pursuant to the applicable procedures under the AAU Code.

H. Sport Agents, Agencies and Representatives.

Any person who is a registered sports agent or a representative or employee of a sports agent or agency, or a person who has received compensation or consideration of any kind directly or indirectly from a sports agent or agency, is prohibited from involvement in the AAU throughout the **entire fiscal year** (September 1 through August 31) during which any such compensation or consideration is received except as specifically set out herein.

Violation of this policy may subject a club and/or athletes affiliated with the agent to penalties set out in the Code.

An agent, employee or representative of an agent may apply in writing to the AAU for an exemption to this policy. If, in the sole discretion of the AAU, it is determined that the interests of the AAU are best served, an exemption may be granted. The exemption may only be granted by the Chairman of the Board of Review. The exemption must be in writing and is subject to reconsideration at any time and may be revoked by the Board of Review Chair at his sole discretion.

I. Agency. Membership in the AAU does not create an agency relationship. The authority of any member providing services to the AAU is limited to the terms of the agreement for services. The AAU does not organize clubs, or teams, and does not select coaches or club managers. Members shall not represent themselves to be agents of the AAU without specific written authorization from the National AAU. Acts of an AAU member not related to a sanctioned AAU event are not authorized by the AAU and therefore no agency relationship is created thereby.

J. Waiver/Release/Authorization to Use Likeness Names, Voice and Words.—The applicant authorizes the AAU including without limitation, the Releasees defined in Section C.1. hereinabove, in perpetuity, without compensation, reservation, or limitation, to allow the reproduction, dissemination, and/or publication of the applicant's name, nickname, image, voice, signature, facsimile, biological information, photograph, and/or likeness for media coverage, public relations, or any other purpose whatsoever, which may involve the use of photographs, films, and/or videotape recording and/or any other form of media, whether currently in existence or not, and understand that the AAU retains title, exclusive and unlimited rights to all internet streaming files including live and archived games, interviews, and events broadcast to the Internet. The AAU is under no obligation to exercise the rights herein granted. The applicant understands and agrees that he/she will not receive any payment for the possible commercial use of his/her name or likeness. [Rev. 10/06]

K. Background Checks. By applying for membership, applicant consents to background checks conducted by the AAU at its sole discretion.

L. Notice of Claims. Any member of the AAU, who has knowledge of a claim, potential claim, or litigation against the AAU, shall notify the AAU in writing as soon as reasonably practical by forwarding notice of such claim to the National AAU at its home office, attention : President.

M. Participation Without Modification. In consideration of my/the minor's participation in any way in any Amateur Athletic Union of the U. S., Inc. ("AAU"), activity ("Activity"), I, for myself, or on behalf of the minor as parent or guardian, and/or my/the minor's personal representatives, assigns, heirs, and next of kin: acknowledge and understand that the nature of athletic activities and the participants' experience and capabilities and believe the participant (myself or the minor, as applicable) to be qualified, in good health and in proper physical condition to participate in such activity – as is, without modification, accommodation, or special personnel (and that if not, I will pay all expenses related thereto). If, at any time I/the minor believe(s) conditions to be unsafe, the Member, Applicant and/or Participant will immediately discontinue further participation in the activity. The AAU is not a place of public accommodation. This policy section shall be governed by the laws of the state of Delaware.

N. Residency. The National Board of Review shall determine issues of residency arising out of Bylaw 4.3. [Added 10/06]

II. RELEASE OF CLUB/MEMBERSHIP DATA – MAIL LIST POLICY.

A. All the registration/contact information including but not limited to names, addresses, telephone numbers, e-mail addresses, fax numbers of the AAU membership commonly known as and referred to as the “mailing lists” is the exclusive and proprietary property of the National AAU and shall only be utilized for the conduct of official AAU business and promotion of the Amateur Athletic Union.

B. Use of AAU Mail Lists. This information may be utilized by 1) Governors may utilize, or may authorize, the use of the club list within their District ; 2) the National Sport Chairs, limited to the respective sport list, 3) the District Sport Directors are limited to a list of clubs in their sport only within the District.

C. Procedures. If District Sport Director wishes to send a mailing to individual members registered in the sport, the following procedures will be followed :

1. Any mailing sent to individual members of the District shall be approved by the Governor of the District. If the Governor of the District wishes to distribute a mailing to the District members in behalf of his/her club, that mailing shall be approved by the District Executive Committee.
2. Mailings approved by the Governor (or Executive Committee), will be forwarded to the AAU National Office for a review of the content.
3. For security and privacy protection reasons, all mailings will be done through the AAU National Office, or its designated source.

4. Cost for mailings shall be paid by credit card or check prior to the distribution of the mailing.
- D. The National AAU may allow third parties to utilize membership information for specified purposes. Information may not be sold, rented or traded or used in any way without the written authorization of the National Officers.
- E. **Violation of Policy.** Any Officer, District Sports Director, Regional Sports Chair/Commissioner, or National Sports Chair that inappropriately uses an AAU mailing list, be it physical address, email address, etc., for the propagation of another sports organization, shall immediately be removed from that position.

*** See Policy VII for Use of Database during Elections.

III. FINANCIAL POLICIES.

A. INSUFFICIENT FUND CHECK POLICY. The AAU will not enter into any contractual arrangement with any individual or entity which has given the AAU or its Districts a check or other negotiable instrument that has been returned for insufficient funds until such time as the matter has been paid to the AAU's satisfaction. No contracts will be entered into with any individual or entity which has failed to pay any monies due the AAU under written contact. It is also the policy of the AAU to discontinue doing business with any such entity or individual unless in the manifest weight of the facts that the best interest of the AAU would not be served by an immediate termination. The same policy will apply to District services and programs, due to an insufficient fund check.

B. PURCHASING GUIDELINES. All sport and administrative committee representatives duly authorized by their respective committee must adhere to the following guidelines when purchasing goods and/or services prior to obligating the Union for any expense.

1. **Purchases Under \$100.00.** Purchasing guidelines shall be established and approved by the National Officers for purchases under \$100.00.
2. **Purchases in Excess of \$100.00.** All individual purchases of goods or services made on behalf of the AAU by headquarters staff personnel which exceed \$100.00 (\$100.01, or more) will require both a Purchase Requisition and a Purchase Order. The person originating a purchase request is responsible for first completing the Purchase Requisition form and submitting it to the director of his/her department for approval (by signature). The Purchase Requisition must then be submitted to the person who has been designated as being responsible for the preparation of Purchase Orders. Upon completion of the Purchase Order form, it then will be presented to one of the members of the headquarters staff who has been authorized to approve Purchase Requisitions. The National Officers may designate staff members to approve Purchase Orders. Upon securing signature approval on the Purchase Order form, two (2) copies of the Purchase Order will be given to the person originating the purchase request, one (1) of which is to be sent to the vendor at the time the order is placed. One (1) additional copy of the Purchase Order to the Accounting Office to

- 3. Purchases in Excess of \$500.00.** The same procedure as set forth above for purchases in excess of \$100.00 is to be followed for purchases in excess of \$500.00 (\$500.01, or more) except that, three (3) written competitive price bids or proposals must accompany all Purchase Requisitions and Purchase Orders when they are for more than \$500.00.
 - 4. Purchases in Excess of \$1,000.00.** The same procedure as set forth above for purchases in excess of \$100.00 and \$500.00 is to be followed for purchases in excess of \$1,000.00 (\$1000.01, or more) except that, Purchase Orders can be approved only by the President or Executive Director when they are for more than \$1,000.00.
- C. SOLICITATION OF FUNDS.** Any solicitation of funds, resources or goods from the national corporate market, from national foundations or from United States governmental agencies, must be cleared by the National AAU. The following commission guidelines will be utilized in the case of new AAU sponsors and will not apply to bid fees in connection with national championships or similar AAU events, nor will they apply to current AAU sponsors or their renewals.
- D. COMMISSION GUIDELINES.** Eligible for Commission: Anyone in the AAU except National AAU paid staff members.
- 1. Commission Fees:** While all fees are subject to negotiation, the following will be considered the norm. The sports committee/chairman may negotiate, but the National Officers will need to approve any fees to be paid.
 - 2. Finder's Fee:** Five percent of the total sponsorship amount will be paid to an individual who introduces the AAU to a sponsor but does little work to finalize a contract. "Introduction" means the finder actually secures an appointment with the potential sponsor for the AAU representative. The appointment must be with someone who is in a decision-making position with the potential sponsor. The "finder" should normally be present for the initial meeting between the AAU and a potential sponsor. If a finder's fee is paid, no other commission will be paid.
 - 3. Commission:** If an individual introduces the AAU to a potential sponsor and follows through and is a principal part of the negotiation with that sponsor up to the time a sponsorship contract is finally signed, then that person will be entitled to receive up to a 20% commission of the total value of the first year of the contract. An additional commission of up to one-half of the initial commission paid for the first year will be paid for each year the sponsorship contract continues or is renewed.

When Payable: Commission fees will be payable only for cash sponsorships and when the monies have been received by the AAU. There will be no finder's fees on "in kind" payments by sponsors.

E. NATIONAL SPORT COMMITTEE FINANCES. A National Sport Committee shall file annually a budget with the Finance Committee. The Finance Committee will review the budget prior to submitting it to Congress for approval. In order to receive reimbursement for any personal expenses, the Committee will be required to have submitted a budget to the Finance Committee as established by prior board action. Reimbursement for the travel and other expenses may be processed only after a committee financial reimbursement policy has been adopted by the Committee and filed with the National Office. The committee policy shall set out:

1. The type of expense which may be reimbursed.
2. The committee officials who shall be entitled to be reimbursed.
3. The signatures which must be obtained within the committee for reimbursement authorization.
4. Any reimbursement shall be subject to available funds within the committee budget and shall have vouchers attached for all expenditures in excess of \$25.00.
5. Deficit spending is not permitted without approval.

F. AAU CREDIT POLICY. The following are credit policies and procedures to be utilized when extending credit to Districts, Local Organizing Committees, and other approved individuals or entities.

1. **Sales Terms.** AAU will offer terms of N/30 to qualified customers. Invoices not paid within 60 days will be assessed a late fee of 1.0% per month. Requests for special terms must be documented and approved in advance by the National Treasurer and Finance Chair.
2. **Assigning and Approving Credit Limits.** Credit limits will be based upon each customer's payment history and expected level of purchase. The Finance Chair, or his/her designee, may approve credit limits assigned to each customer whose purchases exceed \$1,000.00. Financial Services Department discretion will be used on amounts below \$1,000.00.

In the case of Districts, the initial credit limit will be limited to one-half of the previous year's total amount of purchases. For example, if XYZ District ordered a total of 2,000 cards @ \$7.50 each, last year, the total credit line for the current year is \$7,500.00.

3. **Approving Orders.** Written approval from the President, National Treasurer or Finance Chair is required if orders exceed the pre-approved credit limit or if the customer has past-due invoices outstanding for more than 60 days without written approval from the Treasurer.

Items (membership cards/stickers, awards, forms, etc.) ordered by Districts must have the approval of the District Treasurer before the items will be shipped. Items will then be shipped to the District Registrar or his/her designee. Any such designation must be in writing.

4. **Re-evaluating Credit to Existing Customers.** Credit reevaluations will be performed on all accounts regularly (annually). Reevaluations will also be performed on any account when payment activity or other circumstances indicate a need.
5. **Collection Past-Due Accounts.** Statements will be mailed to past due accounts no more than bi-monthly. On seriously delinquent accounts phone calls will be placed. Phone calls generally will be used only late in the collection process.
6. **Authorizing Settlements and Write-Offs.** Offers allowing a delinquent customer to pay an account in installments or settling for less than the unpaid balances require the National Treasurer's advance written approval.
7. The Finance Committee must approve any write-offs of amounts considered uncollectible over \$200.00. A listing of the accounts the Director of Financial Services deems to be uncollectible will be prepared and submitted to the Finance Committee at the Annual Convention.

G. District Charter Late Fee. The District Charter application, District Charter fee, and Request and Consent form are due on August 1st annually. If the District Charter fee is not received as of this date, a \$500.00 late fee shall be assessed to the District.

H. AAU Convention. All persons registered to attend the AAU Convention in any capacity such as Delegates to Congress, National Committee members (Sport, Special, or Administrative), must stay at the hotel property/properties designated by the AAU, utilizing the hotel block as established for the Convention. Persons registered to attend the AAU Convention who do not comply shall pay an additional \$600.00 Convention fee. Registered attendees who own property in the city in which the Convention is located are exempt from this policy if they demonstrate ownership of the property. [Added 3/09]

IV. MEDIA, WEBSITES, SPOKESPERSONS, AND LOGO POLICIES.

A. USE OF AAU REGISTERED MARKS. The AAU name, mark, seal, logo, and other insignia (all "AAU marks") are protected through trademark registration and are defined as the intellectual property of the AAU. A user of the AAU's intellectual property must have prior and continued approval of the National AAU. Only those subordinates and affiliated organizations which are expressly authorized by the National AAU may use the intellectual property of the AAU. The National AAU may withdraw its approval to use its marks, in its sole discretion. Members shall immediately comply with notice to cease and desist from the use of the AAU's intellectual property. The unauthorized use of any of the intellectual

property of the AAU is a violation of this policy and may subject the member/entity to penalties set out in the AAU Code.

1. Only chartered Districts, District Sport Committees and National Sport Committees may use the AAU marks in their name.
2. There are three (3) levels of AAU club membership. Level 1 AAU Clubs acquire no rights to use the AAU's intellectual property. Level 2 and Level 3 Clubs may use AAU's intellectual property for the promotion of its organization and/or sanctioned AAU events only. Neither members nor clubs may use the name AAU in their legal name, domain name, email or any other name without the express written consent of the National AAU. [Rev. 10/08]
3. In the event of a dispute or conflict as to a member's/entity's claim(s) to use any of the intellectual property of the AAU, the Officers of the AAU shall decide and determine the dispute in their sole discretion.

B. USE OF OLYMPIC MARKS. No sanction of any athletic competition will be granted by the AAU for any event where the word "Olympic" or any derivative thereof is used in any advertisement or notice in any manner in connection with an AAU competition.

The Amateur Athletic Union of the U.S. Inc. has a limited license agreement with the United States Olympic Committee with regard to use of the terminology "Junior Olympics." The AAU does not grant the right to any subordinates, any affiliated organization, or any other entity to use the terminology "Junior Olympics" except as specifically authorized in writing by the National AAU.

C. AAU SPOKESPERSON.

1. The President of the AAU shall serve as the primary spokesperson for the organization. If the President is unavailable, then the Director of Compliance shall become the contact person. He/She will contact the President, or act as the spokesperson if the President is not available.
2. Members of the AAU, including but not limited to coaches and/or volunteers, are not authorized to make statements on behalf of the AAU, or take any action(s) for the AAU, unless expressly and specifically authorized to do so by a National Officer.

D. TELEVISION/WEBSTREAMING RIGHTS FOR NATIONAL EVENTS.

1. **Rights.** The television/webstreaming rights for coverage of any AAU National Championship event shall be retained by of the National AAU. Other than permitting live news coverage, no media agreements may be executed by any District, Sport Committee, Host Organization or local entity for a national event.

2. **Guidelines for Allocation of Proceeds.** In considering a contract for television coverage of a single sport national championship event, the net proceeds shall be allocated under guidelines developed by the National Officers and approved by the Board of Directors. Proceeds from national multi-sport events shall be fully retained by the National AAU.
 - a. All income shall be received by National AAU for distribution as established herein. All agreements determining the amount of income to be derived shall be contracted with National AAU.
 - b. The gross proceeds, less all set-up, production and distribution costs incurred as a result of or in connection with the television shall be divided as follows:
 1. 45% shall be distributed between the national sports committee and the host club as determined by the national sport committee.
 2. 45% shall be retained by the AAU.
 3. 10% shall be distributed to the appropriate District.

E. Websites.

1. **Website Content.** Information on AAU websites is limited to AAU business, programs and operations. Any AAU website that contains material content that is not about the AAU shall be in violation of this policy. If a District website is found to be in violation, staff shall notify the District of the violation. If the website is not corrected immediately the District charter will not be renewed.
2. **Website Control.** All AAU National, National Sport Committee, District and District Sport Committee websites must provide to the AAU Information Systems Department user name and passwords for access to the domain name and ftp hosting site. Any website found to have inappropriate material, logos, or content of any kind may be modified or shut down by the AAU Information Systems Department.
3. **Club Information on Websites.** All club directories published on a website must be approved by the AAU National Office. [Added 9/04]
4. **Website Domain Name.** The AAU of the U.S., Inc. shall own all domain names created and used by the AAU, its Districts, the National Sport Committees and District Sport Committees. This means that the registration shall show the AAU as the registrant and administrator of the website and that the control and management of the website belongs to the AAU. The AAU has the right to grant access back to the District, the National or District Sport Committee to manage the website. [Added 10/08/Revised 3/10]

- V. **DEFENSE POLICY.** It is the policy of the AAU to defend the National and District Officers, members and volunteers, or other appropriate persons from civil actions arising from their authorized activity on behalf of the AAU. This Defense Policy is conditional in the following particulars:
- A. The entity seeking the defense must have complied with the provisions of the AAU Code while engaged in the activity.
 - B. The AAU will not defend any matter relative to drug testing. No sanction will be granted for an event that involves drug testing unless the National Sport Committee has first acquired, at its own expense, a liability insurance policy which designates the AAU as an insured, and which has been accepted by the Board of Directors in the exercise of its sole discretion.
 - C. The AAU may provide a defense under a “reservation of rights” in which the defense is conditioned upon the continued compliance with the AAU Code, and cooperation with the Officers, and Counsel of the AAU.
 - D. If any of the conditions of this Policy are not met, the AAU can deny or terminate the defense, and is entitled to recover any expenses incurred from making the defense.
 - E. If the AAU provides a defense for any person or entity (through its insurance carrier or otherwise), the National AAU shall have the absolute right in its sole discretion to conduct and/or direct the defense of the matter as it sees fit, including but not limited to the right to settle the case. The person or entity being defended herein grants to the AAU a limited power of attorney to execute any documents (as) necessary to carry out the content and intent of this policy. [Added 10/08]

VI. **MANAGEMENT OF EMERGENCY SITUATIONS.**

- A. In the event of emergency or catastrophic situations, the President of the AAU shall serve as the primary spokesperson for the organization. If the President is not available, then the Director of Marketing shall become the contact person and he/she will communicate with the President, and act as spokesperson if the President is unable to do so.
- B. In the event of an emergency, the following steps shall be followed:
 - 1. Notify the President of the AAU or the Director of Marketing if the President cannot be reached. The spokesperson will then notify all appropriate parties.
 - 2. Coaches, officials, or other volunteers at all levels, are not to comment on the matter until advised by the national spokesperson.
 - 3. In the event of an injury do not comment or speculate as to injury severity.
 - 4. Refer all media inquires and questions to the AAU spokesperson.

5. Refer all investigative questions to the AAU spokesperson. This includes questions concerning insurance, claims, etc.
6. Any written statement must be reviewed by AAU Counsel prior to release. The statement should be factual, contain no speculation, and be approved by the AAU spokesperson.
7. The following procedures should be used when investigating an accident or incident:
 - a. Evidence should be preserved (i.e. faulty equipment, etc.) if possible
 - b. Identify all witnesses. Obtain name, address and phone numbers.
 - c. An accident description in the injured person's own words is extremely helpful.
 - d. If an athlete is involved in a serious injury, his/her parents or legal guardian should be notified immediately. Sympathy and concern are important during any family contact.
 - e. Notify the National AAU within 24 hours of any incident regardless of liability or severity. The spokesperson will notify the insurance carrier.

VII. PROCEDURES FOR NOMINATION AND ELECTION OF NATIONAL OFFICERS, DISTRICT OFFICERS, DISTRICT SPORT DIRECTORS, AND OTHER DISTRICT OFFICES AND RECOMMENDATION OF THE NATIONAL SPORT CHAIRS.

A. National Officers.

1. Qualifications. Candidates must be a member of Congress.

2. Nominations.

- a. Only Districts and National Sport Chairs may nominate candidates for National Office. Nominations must be reflected in the District's Board of Managers Annual Meeting minutes.
- b. Candidates may be nominated for more than one office. The application for office shall include disclosure of all offices for which the candidate is being nominated.
- c. The Secretary shall send notice and an application for office form to the Districts and National Sport Chairs by April 1st, the year before each election.
- d. The deadline for nominations is forty-five (45) days prior to the first session of the meeting of Congress. The nominating party must submit the application along with a written acceptance by the nominee and a brief biography stating the nominee's qualifications for the office.

3. Candidate Verification and Announcement of Candidates. The Chair of the Nominations and Elections Committee shall verify who is eligible to run for office. Any questions about eligibility shall be referred to the National Board of Review. At least thirty (30) days prior to the Meeting of Congress in years when an election is being held, the Secretary shall forward the names of the nominees and their biographies to all delegates to Congress. [Revised 3/08]

4. Use of the AAU Database during Campaign and Campaign Materials. [Added 3/08]

- a. The current officeholder (incumbent) shall not make use of any AAU mail list, database information, etc., for the purposes of running or campaigning for office.
 - b. Candidates who wish to distribute campaign information to current members of Congress may request assistance through the AAU National Office. The Compliance Department will facilitate a maximum of two electronic mail blasts (eblasts). To use the eblast system, the candidate shall electronically submit a copy of the material he/she wishes to distribute. The Compliance Department shall review the material submitted and has sole discretion to approve, or disapprove the content. Content may not include any personal attacks against any other candidate running for office or other derogatory comments or language. Further the Compliance Department is not responsible for spelling and/or grammatical content. The eblast process may take up to 10 working days to prepare and send. If this service for the candidate becomes controversial or contentious, the Compliance Department has the sole right to not process the request. The decisions throughout the process are unappealable. The Compliance Department is not required to keep a case file as to why the service was not provided. Candidates will be notified that the content was not approved and may correct and re-submit the content.
 - c. Materials (flyers, brochures, apparel, election novelty items, etc.) to be used for campaign purposes during the AAU Convention must be forwarded for approval to the AAU Compliance Department. The Compliance Department shall review the material submitted and has sole discretion to approve, or disapprove the content. Content may not include any personal attacks against any other candidate running for office or other derogatory comments or language. Further the Compliance Department is not responsible for spelling and/or grammatical content. The decisions of the Compliance Department throughout the process are unappealable. The Compliance Department is not required to keep a case file as to why the material was not approved. Candidates will be notified that the material was not approved and may re-submit revised materials.
- 5. Elections.** Elections will be conducted by written ballot under the supervision of the Nominations and Elections Committee. If there is only one candidate for office, the vote for that office may be taken by a voice vote.
- 6. Election Procedures.** On Election Day the candidate(s) for office will be allowed a maximum of three (3) minutes to speak. Order of speeches for each office will be determined by draw.
- a. Once the ballots have been distributed, the Election Chairman will announce that the distribution of ballots is closed and no additional ballots will be distributed.
 - b. In order for delegates to receive ballots, they must be seated in the appropriate section; i.e., District, Sports Committee (Exception: Members of the Nominations and Elections Committee).

- c. If no candidate receives a majority of the votes, a run-off ballot will be held until a candidate receives a majority of votes. In the run-off election, the candidate receiving the fewest votes shall be dropped from the ballot.
- d. For a run-off during election, the announcement of the run-off candidates and the ballots will be given out simultaneously. There will be different color ballots for the runoff voting.
- e. All ballots will be sealed and stored at National Headquarters for a period of one year after elections.

B. District Officers.

1. Qualifications. Candidates must be a member of the Board of Managers.

2. Nominations.

- a. Only Club Representatives, current Officers, and current District Sport Directors may nominate candidates for District Office.
- b. Candidates may be nominated for more than one office. The application for office shall include disclosure of all offices for which the candidate is being nominated.
- c. The Secretary shall send notice and an “Nomination for Office” form to the Club Representatives, current Officers, and District Sport Directors by 60 days before the election held at the Annual Meeting in May or June.
- d. The deadline for receiving nominations is thirty (30) days prior to the District’s Annual Board of Managers meeting. The nomination party must submit the application along with a written acceptance by the nominee and a brief biography stating the nominee’s qualifications for the office. The nominating party shall indicate its category of membership on the District Board of Managers. All nominations which do not include the required information shall be considered incomplete and the candidate will not be eligible to run for office. Nominations shall be submitted to the District Nominations and Elections Committee Chair with a copy to the District Secretary.
- e. In the event that no eligible nomination has been submitted for a particular office of the District, the current office holder shall continue in office until the next Annual Meeting, or until a Special Meeting is called to elect the successor. If the current office holder chooses not to continue in office, then there is a vacancy. The vacancy will be filled as prescribed in the Constitution with an appointment made by the District Executive Committee until the next Board of Managers meeting where an election will be held to fill the balance of the unexpired term. [Added 10/06]

3.Candidate Verification.

- a. The Nominations and Elections Chair and the District Secretary shall jointly verify who is eligible to run for office. If the Chair and the Secretary do not agree, a ruling will be made by the AAU National Board of Review. [Added 10/06]
- b. For the Annual Board of Managers meeting, the Nominations and Elections Committee shall compile the list of candidates for office and have copies of the

biography and nomination form for each candidate for office available for all members of the Board of Managers.

4. Use of the AAU Database during Campaign and Campaign Materials. [Added 3/08]

- a. The current officeholder (incumbent) shall not make use of any AAU mail list, database information, etc., for the purposes of running or campaigning for office.
- b. Candidates who wish to distribute campaign information to current members of Congress may request assistance through the AAU National Office. The Compliance Department will facilitate a maximum of two electronic mail blasts (eblasts). To use the eblast system, the candidate shall electronically submit a copy of the material he/she wishes to distribute. The Compliance Department shall review the material submitted and has sole discretion to approve, or disapprove the content. Content may not include any personal attacks against any other candidate running for office or other derogatory comments or language. Further the Compliance Department is not responsible for spelling and/or grammatical content. The eblast process may take up to 10 working days to prepare and send. If this service for the candidate becomes controversial or contentious, the Compliance Department has the sole right to not process the request. The decisions throughout the process are unappealable. The Compliance Department is not required to keep a case file as to why the service was not provided. Candidates will be notified that the content was not approved and may correct and re-submit the content.

5. Election Procedures.

- a. On Election Day each candidate for office will be allowed a maximum of three (3) minutes to speak. Order of speeches for each office will be determined by draw. If there is only one candidate for office, the vote for that office may be taken by voice vote.
- b. Order of elections is Governor, Lieutenant Governor, Secretary, Treasurer and Registrar. If the District has authorized additional officers, the order of election for the additional officers shall be as the District determines.
- c. Elections will be conducted by written ballot under the supervision of the District Nominations and Elections Committee. If there is only one candidate for office, the vote for that office may be taken by a voice vote.
- d. The District Nominations and Elections Committee shall determine the procedure for distribution of ballots.
- e. If no candidate receives a majority of the votes, a run-off ballot will be held until a candidate receives a majority of votes. In the run-off election, the candidate receiving the fewest votes shall be dropped from the ballot.
- f. For a run-off during the election, the announcement of the run-off candidates and the ballots will be given out simultaneously. There will be a different color ballot for the run-off election.
- g. All ballots will be sealed and stored with the District Secretary, or at a place that the District Secretary designates for a period of one year after the election(s).

C. District Sport Directors.

1. **Qualifications.** Candidates must be a current member of the District Sport Committee.
2. **Nominations.**
 - a. Only Club Representatives and the current District Sport Director may nominate a candidate for the District Sport Director.
 - b. Sixty (60) days before the date of the Annual Sport Committee meeting, if there are 5 clubs registered in the sport, the District Secretary shall send notice of the up-coming election, and an “Application for Office” form to the Club Representatives of the District Sport Committee and the current District Sport Director. If there are not 5 clubs registered with the sport in the District, the Governor shall appoint the Chair.
 - c. The deadline for receiving nominations is as of thirty (30) days prior to the date of the District’s Sport Committee’s annual meeting. The nominating party must submit the application along with a written acceptance by the nominee and a brief biography stating the nominee’s qualifications for the office. The nominating party shall list current club and individual membership information on the nominating form. Nominations shall be sent to the District Secretary with a copy to Nominations and Elections Chair and the District Sport Director.
 - d. In the event that no eligible nomination has been submitted for the position of Sport Director, a vacancy is created. Unless the Sport Committee operating rules specifically provide for a method of filling the vacancy, the Director is appointed by the Governor, with the approval of the National Sport Chair. The position will again be subject for election at the next Sport Committee Annual Meeting, and the person elected shall complete the term. [Added 10/06]
3. **Candidate Verification and Announcement of Candidates.** The Nominations and Elections Chair and the District Secretary shall jointly verify who is eligible to run for office. If the Chair and the Secretary do not agree, a ruling will be made by the AAU National Board of Review. [Revised 3/08]
4. **Use of the AAU Database during Campaign.** [Added 3/08]
 - a. The current officeholder (incumbent) shall not make use of any AAU mail list, database information, etc., for the purposes of running or campaigning for office.
 - b. Candidates who wish to distribute campaign information to current year member club contacts may request assistance through the AAU National Office. The Compliance Department will facilitate a maximum of two electronic mail blasts (eblasts). To use the eblast system, the candidate shall electronically submit a copy of the material he/she wishes to distribute. The Compliance Department shall review the material submitted and has sole discretion to approve, or disapprove the content. Content may not include any personal attacks against any other candidate running for office or other derogatory comments or language. Further the Compliance Department is not responsible for spelling and/or grammatical content. The eblast process may take up to 10 working days to prepare and send. If this service for the candidate becomes

controversial or contentious, the Compliance Department has the sole right to not process the request. The decisions throughout the process are unappealable. The Compliance Department is not required to keep a case file as to why the service was not provided. Candidates will be notified that the content was not approved and may correct and re-submit the content.

5. Election Procedures.

- a. For Election Day, the District Sports Director shall prepare written ballots (including run-off ballots) for the election of the District Sport Director office and bring them to the meeting.
- b. On Election Day, if there is no quorum (5 club representatives in attendance), no election is held and the Governor shall appoint the Sport Director. If there is a quorum, the election shall proceed.
- c. The members present on Election Day shall elect by majority vote a “Voting Supervisor” to conduct the election. Next, two other individuals shall be elected to count the ballots under the supervision of the elected voting supervisor.
- d. Each candidate will be allowed a maximum of three (3) minutes to speak. Order of speeches will be determined by draw held by the Voting Supervisor.
- e. Elections will be conducted by written ballot. If there is only one candidate for office, the vote for that office may be taken by a voice vote. The Nominations and Elections may assist with the election procedure.
- f. The District Sport Committee operating rules shall determine the procedure for distribution of ballots.
- g. If no candidate receives a majority of the votes, a run-off ballot will be held until a candidate receives a majority of votes. In the run-off election, the candidate receiving the fewest votes shall be dropped from the ballot.
- h. For a run-off during election, the announcement of run-off candidates and the ballots will be given out simultaneously. There will be a different color ballot for the run-off election.
- i. All ballots will be sealed, forwarded and stored with the District Secretary, or at a place that the District Secretary designates for a period of one year after the election.

D. Recommendation for National Sport Chairs.

1. The President appoints the Chair of a National Sport Committee from the recommendation of the National Sport Committee after approval of a majority of the National Officers. In order to present a recommendation to the National Officers, all National Sport Committees shall follow the procedures adopted in this policy.
2. **Qualifications.** Only members of Congress and the National Sport Committee are eligible to serve as National Sport Chair.

3. Nominations.

- a.** Only members of the National Sport Committee and the current National Chair may nominate a candidate for National Sport Committee Chair.
- b.** The (National) Secretary shall send notice and nomination form members of the National Sport Committee by April 1st, the year before the recommendation is made.
- c.** The deadline to submit the nomination form is forty-five (45) days prior to the start of the National Sport Committee meeting. The nominating party must submit the application along with a written acceptance by the nominee and a brief biography stating the nominee's qualifications for the position.

4. Announcement of Candidates. At least thirty (30) days prior to the National Sport Committee meeting, the Secretary shall forward the names of the nominees and their biographies to all members of the National Sport Committee.

5. Voting to Make a Recommendation. The vote for National Sport Chair recommendation shall be conducted by written ballot under the supervision of Nominations and Elections Committee. If there is only one candidate for National Sport Chair, the vote may be taken by a voice vote.

6. Voting Procedures. The following procedures shall adhered to:

- a. Speeches.** On the day of the vote, the candidates for National Sport Chair will be allowed a maximum of three minutes to speak. Order of speeches will be determined by draw.
- b.** Once ballots have been distributed, the Nominations and Elections Committee designee will announce that the distribution of ballots is closed and that no additional ballots will be distributed.
- c.** In order for a Committee member to receive a ballot, he/she must be seated in the designated area.
- d.** If no candidate receives a majority of votes, a run-off ballot will be held until a candidate receives a majority of votes. In the run-off election, the candidate receiving the fewest votes shall be dropped from the ballot.
- e.** For a run-off during election, the announcement of the run-off candidates and the ballots will be given out simultaneously. There will be a different color ballots for the run-off vote.
- f.** All ballots will be sealed and stored at National Headquarters for a period of one year after the vote.

VIII. BUSINESS PLAN.

A. The following business practices are required of the indicated entities.

- 1.** No District, District Sport Committee, or National Sport Committee shall have its own 501(c) 3 determination letter; if they currently have a 501(c)3 determination letter, they must relinquish it immediately;
- 2.** All AAU District(s) shall be unincorporated entities;
- 3.** The National AAU will become responsible for filing annually in all 50 states and the District of Columbia with DBA's listing the AAU Districts;
- 4.** Each District must have its own EIN (Employer Identification Number);
- 5.** AAU District Sports Committee(s) operating a bank account must have its own EIN, if it is not using the District EIN;
- 6.** Any National AAU Sports Committee operating a National Championship event or any other event in the name of the committee and operating a bank account must have its own EIN;
- 7.** Any AAU District Sports Committee(s) operating a bank account under the District's EIN must file a finance report to the District;
- 8.** No organization shall use the EIN number of the Amateur Athletic Union of the U.S. Inc.;
- 9.** All District(s), District Sport Committee(s), and National Sport Committee(s) desiring to be recognized as a 501(c)3 under the AAU of the US' group exemption must annually file the required request and consent form;
- 10.** No District (s), District Sport Committee(s), National Sport Committee(s) will participate/operate charitable gaming without the express written consent of Board of Directors;
- 11.** The District Charter application, District charter fee, District request and consent form, District location of assets report and directory report are due on August 1st annually.
- 12.** All subordinates/affiliated organizations must file a Form 990 with the IRS annually;
- 13.** One or more educational seminars will be held each year in conjunction with the Annual Convention of the AAU;
- 14.** The AAU shall have a 3 level club membership program with differing benefits;
- 15.** Level 3 clubs shall not conduct directly or indirectly any gaming. The term gaming includes: Bingo, Benos, lotteries, pull-tabs, pari-mutual betting, Calcutta wagering, pickle jars, punch boards, tip boards, tip jars, certain video games, casino games, sport betting, etc;
- 16.** All subordinates/affiliated organizations must adhere to the AAU trademark policy;
- 17.** Any District(s) or National Sport Committee(s) in violation of this policy shall forfeit voting rights at meetings of Congress.
- 18.** No AAU District or Sport Committee shall own a vehicle.

IX. SANCTION POLICIES.

- A. Practice.** For the purpose of AAU sanctioning, “practice is organized and/or regularly scheduled sessions supervised at all times by a registered non-athlete member of the AAU and conducted for the purpose of preparing, training, instructing and conditioning only AAU member athletes for AAU sanctioned competitions. Tryouts and scrimmages are included as long as they meet all the requirements of the above definition.
- B. Scrimmage.** A practice of an AAU member club against other member athletes or another club. A scrimmage does not qualify as a practice if an admission fee is charged, or the officials are paid. Scrimmage results must not affect the team’s standing or rankings.
- C. Supervision.** Supervision requires that an AAU non-athlete member (coach/instructor) be physically present at all times at the practice premises or site during each practice session.
- D. Event Sanction Categories.** Events that are sanctioned by the AAU shall be categorized as one of the following :
1. Practice.
 2. Preliminary
 3. Inter-District
 4. Invitational
 5. League
 6. Demonstration/Clinic
 7. Physically Challenged Event
 8. Multi-Sport/Sports Festivals
 9. District Championships
 10. National AAU Events
 11. National Sport Committee Events
 - a. Championship Event
 - b. Regional Event
 - c. Super-Regional
 - d. League
 - e. Clinic/Demonstration
 - f. Invitational
 - g. Other
- E.** A sanction may list only ONE (1) event category per sanction application. Sanction applications which list more than one category will be denied.
- F. National Championship Sanctions.** The host organization awarded a National Championship event by the AAU must obtain the sanction for that event as of September 1st of the fiscal year the event is to be held. (The AAU fiscal year is September 1st through August 31st.) [Added 3/08]

X. SPORT COMMITTEE POLICIES.

A. Sport Status. To be recognized as a sport within the AAU, a sport must have registered a minimum of 150 athletes during the previous calendar year and have activity in 4 or more chartered Districts. Sports which have met this criteria are eligible to conduct a National Championship event.

B. Procedure for Approval of New Sport Activity.

1. The organization or group representing the sport which wishes to be part of the AAU forwards a proposal to the President of the AAU, as well as to the Chair(s) of the AAU Youth and/or Adult Sport Council(s). The proposal should contain the following :
 - a. Express a desire for the AAU to offer the sport.
 - b. Provide the general rules of the sport. State whether the sport utilizes NGB rules or other nationally known organization rules.
 - c. Specify the age groups, divisions (youth, adult, senior, masters), age determining dates and other primary eligibility rules.
 - d. List of key personnel who would be involved in setting up the sport.
 - e. Current participation numbers and estimate of number of registrations anticipated (individual athletes, clubs, etc.). Projection of schedule of events should be provided as well. The minimum number of registered athletes for acceptance is an overall total of 150 members registered in the sport from at a minimum of 4 Districts.
2. The AAU President can establish an interim sport committee to evaluate the need, to analyze the sport potential, to develop operating procedures, etc. .
3. The AAU President or ranking official will present the proposal to the Youth and/or Adult Sports Council, as well as the Insurance Committee for acceptance. If approved by the Council(s) the sport may receive probationary status for up to three years. Upon the completion of the probationary period, an evaluation should be made as to whether to recommend the sport for National Committee status.
4. The Sport Council makes a motion for Congress to approve the sport. With the approval of Congress, the new sport has National Committee status, which include voting privileges as provided by the Code.

C. Non-Regular Meetings. The National Sport Committee may hold a Non-Regular National Sport Committee meeting in odd years subject to the following provisions : [Added 10/08]

1. The meeting is called by the Chair following approval of the National Office.
2. The National Office has the right to coordinate the meeting and pick the site for the meeting.

D. Sport Committee Meeting Order (agendas). The Regular National Sport Committee meetings, Non-Regular National Sport Committee meetings, and National Sport Committee Special meetings shall follow the meeting order (agenda format) as established by Code (Bylaw 9.5). [Added 10/08]

XI. JUDICIAL PROCEDURES AND RULES [Amended 3/07]

A. Introduction. Article III of the AAU Constitution establishes the structure of the Judiciary of the AAU. The responsibility of the Judiciary is to enforce the provisions of the Code, in a manner that provides fairness to members of the Union. With this purpose, the following procedures and rules are established and are applicable to the Judicial Bodies of the AAU.

B. Procedure during Hearings.

1. In hearings before an Infractions Committee, a Judicial Officer, a District Review Committee or National Board of Review hearings, the presiding officer will establish the order of presentation for the evidence. Usually, the complaining party will first present its case, and the defending party will then present evidence. Each party may be allowed an opportunity to ask questions of the witnesses. Committee members may question witnesses, and may comment on the evidence.
2. A party or witness may be represented by an attorney, or any other person chosen by them for that purpose.
3. The persons conducting the hearing are not required to be attorneys, and the parties are not litigants. Therefore, formal rules of procedure and evidence are not applied. The purpose of a hearing is to provide an opportunity for the presentation of facts in a fair and reasonable manner so that the hearing body can ascertain the truth, and determine appropriate remedies. Decisions will not usually be disturbed on procedural grounds if the above elements of protection are reasonably provided.

C. Infractions Committees and Judicial Officers. The proper administration of a sports event frequently requires an efficient and often quick determination of issues. The operating rules of each Sport Committee (National and/or District) may establish an Infractions Committee or may permit the appointment of one or more Judicial Officers to consider violations occurring in the sport.

1. **Appointment.** The Judicial Officers or Infractions Committees acquire jurisdiction only if the Sport Committee has adopted a written operating rule establishing the jurisdiction of the Committee/Officers at an Annual Meeting. The Officer can be the District Sport Director or any other AAU member. The sport rule(s) may provide that the Sport Director may appoint the Committee/Officers.
2. **Jurisdiction/Authority.** The Committee/Officers can conduct an inquiry as to violations (including sport rules, entry requirements and/or operating rules) relating to the sport.

3. **Proceedings.** The Officer (or designated Committee member) may investigate the matter by interviewing witnesses, examining documents, and/or reviewing circumstances. When possible, written statements should be acquired. The person(s) or club being accused shall be notified that a complaint has been made, and the nature of the complaint. The accused shall be given an opportunity to present evidence on its own behalf. A formal/evidentiary hearing is not required, but the Officer should maintain notes and records regarding the inquiry.
4. **Decisions.** Decisions should be in writing, and delivered to the affected parties. District level decisions must advise that appeals can be made to the District Review Committee. National Committee rulings can be appealed to the National Board of Review. Decisions are effective immediately unless a stay is issued by the appropriate appeal entity.
5. Infractions Committees and Judicial Officers in the field must act in a way that ensures the proper management of events, and Committee business. It is impractical to require these volunteers to be bound by a set of formal procedural requirements. However, it is essential to the proper function of the Infractions Committee/Officers that the parties accused receive reasonable notice of the charge, that an opportunity to be heard is provided, and that notice of the right to appeal is conveyed or delivered with the decision rendered. Decisions should not be reversed on procedural grounds if those elements of protection are reasonably provided.

D. District Review Committees

1. **Jurisdiction.** A matter can come before a District Review Committee by either a complaint, appeal, or upon the exercise of original jurisdiction.
 - a. **Complaints.** Any person or club can file a complaint with the Review Committee. The Chair of the Committee shall review complaints to determine whether there is reasonable cause to believe that a violation has occurred and that there are some facts to support the allegation. If such finding is made, the Chair shall schedule the matter for a hearing by the Committee. If no reasonable cause is found the complaint may be dismissed. If the Chair does not find reasonable cause, the case will be considered anyway, upon the request of at least three (3) Review Committee members.
 - b. **Appeals.**
 1. Any decision by a District Infractions Committee or Officer may be appealed to the District Review Committee.
 2. Appeals must be in writing, received not more than 20 days after the decision is issued, and shall be delivered with an appeal fee of \$100.00.
 3. The notice of appeal shall be delivered to the District Secretary who will notify the Review Committee Chair of the appeal, and forward the appeal fee to the District Treasurer.
 - c. **Original Jurisdiction.** The Review Committee may exercise original jurisdiction to initiate a case when it finds reasonable cause to believe that a violation has occurred.

2. **Hearings.** The Review Committee Chair shall schedule hearings and notify the Committee members and parties to the case. Hearings shall be scheduled not more than 45 days from: a) the date that Notice of Appeal was received by the District Secretary, or b) from the date that reasonable cause is found on a complaint.
3. **Evidence.** The Chair shall preside at hearings, and shall rule on questions of evidence. The Chair may permit the introduction of any matter that is relevant to the facts of the case or the appropriateness of penalties. Evidence can be written or oral. Hearsay may be permitted. The Chair may make preliminary orders setting deadlines for submitting documents, witness lists or other appropriate parameters or limits to the evidence.
4. **Decisions.** Decisions must be in writing, and distributed to all affected parties within 20 days of the conclusion of the hearing. The Decision shall contain notice of the right to appeal to the National Board of Review. Any such notice shall be sent to the National Board of Review, c/o AAU, P. O. Box 22409, Lake Buena Vista, FL 32830. Decisions are effective immediately unless a stay is issued by the National Board of Review.

E. National Board of Review. Matters are presented to the National Board of Review by appeal, upon the exercise of jurisdiction as established by Code, or by complaints filed directly with the Board.

1. **Complaints.** A complaint is a statement in writing that alleges a violation of the AAU Code or AAU sport operating rule. Complaints received by the National Board of Review may be dismissed for lack of reasonable cause, referred to any other judicial body for action, or assigned to one or more hearing officers. The Chair, or persons delegated by the Chair may investigate facts of any matter before setting a hearing or referring the case.
2. **Appeals.**
 - a. **Filing Requirements.** Appeals must be in writing and must be submitted within 30 days of the date of the Decision being appealed. An appeal fee of \$250.00 (cashier's check or money order only) must be submitted with the appeal. The notice of appeal shall be delivered to and received by the National Office of the AAU within the appropriate time. The appeal fee will be refunded at the Chair's discretion.
 - b. Appeals can be dismissed for lack of reasonable cause, referred to one or more hearing officers, or scheduled for hearing before the Board. In each case the Chair may issue evidentiary orders and set deadlines appropriate to the case.
3. **Original Jurisdiction.** The National Board of Review may act on its own initiative to exercise jurisdiction over any matter or controversy arising within the AAU except the acts of Congress. If the National Board of Review asserts jurisdiction, the matter is removed from the jurisdiction of any other judicial body.

4. **Hearing.** The Chair may schedule hearings, establish deadlines for submitting evidence, set parameters and limitations of evidence as appropriate.
5. **Evidence.** The presiding officer will rule on all evidentiary and procedural matters to allow the parties a fair opportunity to present relevant information to support their position. The presiding officer may permit only evidence relevant to the facts of the case or the appropriateness of penalties.
6. **Decisions.** Decisions will be in writing and will be distributed as directed by the Chair. The Decision shall contain notice of the right to appeal to the National Board of Appeals, c/o AAU, P. O. Box 22409, Lake Buena Vista, FL 32830. Decisions are effective immediately unless a stay is issued by the National Board of Appeals.

F. Board of Appeals.

1. **Jurisdiction.** The Board of Appeals only considers appeals from Board of Review decisions.
2. **Notice of Appeal.** Appeals must be in writing, must recite the grounds for appeal as set out in the AAU Code, must be filed within 30 days of the decision date, must be accompanied by an appeal fee of \$500.00 (cashier's check or money order only), and must be submitted to the National Office of the AAU.
3. The Board of Appeals will usually decide the appeal upon a review of the records. However, the Board may choose to seek additional information, schedule a hearing, interview witnesses, or take any other measures deemed helpful in arriving at a decision.
4. Decisions will be in writing, and will be distributed at the discretion of the Chair. Appeal fees may be refunded at the Chair's discretion.
5. The standard of review will be whether there is substantial evidence to support the decision of the Board of Review.

G. Interpretation and Application of Policy. The Chair of the National Board of Review may issue directives, interpretations, advisories, and order to the judicial bodies or officers to assist in the proper application of the AAU Code, including its policies.

XII. RE-DISTRICTING PROCEDURES.

- A. Any change in District territory requires an amendment to AAU Bylaws in accordance with Article I of the AAU Constitution.
- B. Districts wishing to change their geographic boundaries must submit a request for Bylaw change to the National Headquarters to the attention of the National Secretary at least sixty (60) days before the Annual Meeting of Congress. The request shall include :

1. The territory that the District wishes to annex or discard.
 2. Any existing District which this annexation or discardance may impact.
 3. Rationale for the request.
- C. Upon receipt of a proposed change, the National Office shall notify the Chair of the Re-Districting Committee and the Governor of any District impacted by the proposal. Impacted Districts may respond in writing to the Chair of the Re-Districting Committee with a statement of their support or opposition to the proposal.
- D. The Re-Districting Committee deliberates the proposal and presents its recommendation to the Legislation Committee for Congress. As part of its deliberations the Re-Districting Committee may request a representative of all involved parties to appear before them at the Annual Meeting.
- E. A District, after attempting to annex territory which is assigned to another chartered District, whose proposal fails, may not make a similar proposal for re-districting for at least four (4) years.

XIII. DISTRICT MANAGEMENT.

- A. Credentialing Eligible Voters at District Board of Managers meetings : [Added 10/06]**
1. Reports from the AAU database are not disputable.
 2. The District Registrar and Secretary together must approve, or disapprove, submitted club designation forms. If both the Registrar and Secretary agree on a decision, the decision stands. If there is no agreement, the District Officers shall render a decision by majority vote.
- B. Credentialing Eligible Voters at District Sport Committee meetings : [Added 10/06]**
1. Reports from the AAU database are not disputable.
 2. The District Sport Director, or the individual designated by the sport committing operating rules shall approve, or disapprove, all club designee forms.
- C. District Filing of Minutes. District minutes shall be submitted electronically using email. This applies to Board of Mangers, Executive Committee and Sport Committee minutes. [Added 3/10]

XII. EVENT POLICIES.

- A. Schedule Changes.** Participants in AAU events acknowledge that the dates and/or times (schedule) for events may change.
- B. Age Group/Skill Levels/Weight Classes and Other as Defined by the Event Flyer.** Participants in AAU events acknowledge that events may be subject to change.
- D. Right of Removal and Denial of Admission.** AAU and/or Event Host reserve(s) the right, in their sole discretion to remove or deny entry of/to any participant, coach, and/or spectator from any Event (site/venue), practice or meeting.
- E.** The Directors, Assistants, or assigned chaperones of this event may (but shall not be required to) act as guardians/spokesman in granting permission for emergency treatment/hospitalization (including anesthesia), if believed necessary for the minor to or from or at the site of any AAU event or any hospital or other medical facility. Should a health emergency arise, even though a parent, guardian, or other next of kin may not be contacted, such medical treatment as deemed necessary by competent medical personnel is authorized.
- F. Event Housing Policy.**
- 1. AAU Junior Olympic Games.** Participants in the AAU Junior Olympic Games must use hotel accommodations as advertised by the local host or its designee. Any exemption to this policy must be submitted on the housing exemption form. (Added 3/09, Rev. 3/10)
 - 2. National Sport Committee Events.** Participants in AAU National Championship events must use hotel accommodations as advertised by the local host or its designee. Any exemption to this policy must be submitted on the housing exemption form. (Added 3/09, Rev. 3/10)
 - 3. District Events.** An AAU Event Operator may make a request to the District Governor to approve the Event Operator's designation of certain hotel/motel properties not to be used by participants in the event operator's AAU sanctioned event. The exact name and address of each property must be provided to the Governor. If approved by the Governor, the Event Operator may reject entries of participants who reserve rooms in these designated properties. Once the event begins, participants can be required to vacate the designated property in order to continue to participate.
- G. National Championship Event Hosts.** From the time a host organization submits a bid for a National Championship event, through the time the event is held, the host organization must maintain a club membership in the appropriate category for the entire year (365 days or 366 days in a leap year). If Host does not comply, the event may be removed. [Added 3/08]

H. District Qualifier Medals. AAU medals shall be used at any sanctioned district qualifying event. Medals must be purchased through the AAU medal program or the sanction shall be denied/voided. Effective September 1, 2009. (Added 3/09)

XV. Whistleblower Policy [Added 10/08]

It shall be the policy of the AAU and its subordinates not to retaliate against any employee who reports or discloses information in good faith that may evidence (1) improper activity or (2) a condition that may significantly threaten health or safety.

Such reports shall be made to the Compliance Department at the AAU National Office.

XVI. Document Retention Policy [Added 10/08]

It is and shall be the policy of the AAU and its subordinates that in regard to all documents, including but not limited to: hard copy, facsimile, and/or electronic media (or any other type of documentation, whether currently in existence or not) that all such documents, if related (or could reasonably be determined at the time of potential deletion/destruction to be related) to actual or potential litigation, shall be retained (i.e., not shredded, deleted, nor otherwise destroyed) during the pendency of any such litigation or during the statute of limitations for any such potential litigation. Litigation for the purposes of this Policy shall include both civil and/or criminal matters, whether federal or state.

Any and all documents not related to litigation shall be kept for at least the statutory required time frame or the time frame, if any, as set by the AAU Audit Committee, whichever is longer.

The National AAU may require such records/documents be forwarded for storage to the AAU National Office at its sole discretion.

XVII. Conflict of Interest Disclosure Filing [Added 10/08]

Conflict of interest disclosures shall be filed electronically annually where applicable, using the AAU's website.