

GUAM TRACK & FIELD ASSOCIATION

**CONSTITUTION
AND
BY-LAWS**

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CONSTITUTION

ARTICLE 1. NAME AND AFFILIATION

- Section 1 The name of the association is the Guam Track and Field Association
- Section 2 The Guam Track and Field Association is affiliated to the IAAF (and through the IAAF to the Oceania Athletics Association). The Guam Track and Field Association recognizes, accepts, applies, observes and abides by the current Constitution, Rules and Regulations of the IAAF and the Oceania Athletics Association, as well as any future amendments. This applies especially to the Anti-Doping rules, the handling of disputes, and relations with athletes' Representatives. Any citizen of Guam elected to the IAAF Council is de jure a member of the council and/or Executive Body of the Guam Track and Field Association with full voting rights.
- Section 3 The association is affiliated with the Guam National Olympic Committee.

ARTICLE 2. PURPOSE

The Guam Track & Field Association exists to:

- Section 1 Develop the framework for athletes to participate competitively at international and regional events.
- Section 2 Promote the development of new athletes through local, developmental, and regional events.
- Section 3 Assist in the development of coaching expertise on Guam to raise the performance level of Athletics.
- Section 4 Develop officiating in the sport of Track & Field to maintain expertise for professionally managed track, cross-country, and road race events.

ARTICLE 3. MEMBERSHIPS

- Section 1: Membership- Membership is open to all who are interested in active participation to affect the objectives of the corporation, without discrimination because of race, religion, national origin, sex, or any other irrelevant characteristic.
- Section 2: Members- A member may be any person, association, club, school, etc., which promote track and field sports. Member will consist of:
- a. ACTIVE MEMBERSHIP: A member who has met all requirements established by the constitution and by-laws, whose application has been accepted and whose dues are current. They have the right to vote, are eligible to hold office, and have all other rights and privileges of memberships.
 - b. HONORARY MEMBERSHIP: A member who shall be given membership dues or fees, and shall not have a vote or be able to hold office in the corporation by a majority vote of the members attending a regular annual meeting.

Article 4. COMPETITIONS

National Competitions:

- Section 1: The Association shall organise and promote national championships in Athletics once a year and shall organise or sanction such other Athletics championships, competitions or events as it considers to be desirable.
- Section 2: Foreign athletes may participate in the national competitions of the Association provided that such athletes submit written evidence of a permit certifying that the athlete is eligible and permitted to compete in Guam.
- Section 3: If foreign athletes participate in any national competition, appearance fees, prize money, and/or non-cash prizes for all athletes at such national competitions shall not exceed the amount defined in the IAAF Rules. No athlete may participate in any such competition if he is ineligible to participate in the sport of Athletics under the rules of the IAAF, or the IAAF Member to which he or she is affiliated, or the Association.

International Competitions:

- Section 4: The Association may apply for a permit to organise International Competitions in accordance with IAAF Rules as follows:
- a. The Association may apply to the Oceania Athletics Association Incorporated for a permit to organise International Competitions listed in IAAF Rules 1.1(g), (h), (i), and (j) and
 - b. The Association may apply to the IAAF for a permit to organise International Competitions listed in IAAF Rules 1.1(b), (c), (d) or (e).
- Section 5: No athlete shall take part in an International Competition unless he:
- a. is a member of a Member Club [or Regional Association] affiliated to the Association; or
 - b. is a Member of the Association; or
 - c. has otherwise agreed to abide by the Constitution and Regulations of the Association; and
 - d. for specified International Competitions, if requested by the IAAF or the Association to do so, has signed an agreement in a form set by the IAAF by which he agrees to be bound by IAAF Rules and IAAF Regulations.
- Section 6: No athlete under the jurisdiction of the Association may take part in an International Competition in a foreign country or territory without the written approval of the Association.
- Section 7: No athlete under the jurisdiction of the Association who is 18 years or over as at 31 December and who is residing in another country or territory may seek or obtain the affiliation of another IAAF Member without the prior approval of the Association. If the Association refuses its approval, the athlete or other National Federation in which the athlete is residing may appeal against the decision to the IAAF.

ARTICLE 5. ATHLETE ELIGIBILITY & RESIDENCY

- Section 1: Residency: athletes representing the association must be a resident of Guam
- a. Born on Guam or
 - b. A national (US citizen or a “permanent resident” or “green card”) who has established Guam as his or her permanent resident or domicile based on Guam laws.
- Section 2: An athlete representing Guam must also meet a five (5) year “requisite period” of residency prior to a regional, national, and international athletic event.
- Section 3: Athletes shall be eligible to compete or participate in national competitions if they agree to abide by the Constitution and Regulations and they are not ineligible under IAAF Rules. The eligibility rules of the Association shall be in strict conformity with those of the IAAF. Where there is a conflict between the eligibility rules of the IAAF and the eligibility rules of the Association, the eligibility rules of the IAAF shall apply.
- Section 4: If an athlete competes or participates in a competition, whether held under IAAF Rules or the Regulations of the Association, whilst ineligible to do so, the period of his ineligibility shall recommence from the time he last competed as though no part of a period of ineligibility had been served.
- Section 5: If an athlete is under 21 years of age, attending school on a full time basis, and is a dependent of his parents, then his residency shall be the same as his parents or legal guardian.
- a. Special corollary: if the above criterion is met and the athlete has declared a different residency solely for the purpose of taking advantage of lower college tuition, then such residency shall still follow that of the parents.
- Section 6: If an athlete is over 21 years of age, attending school on a full time basis, and met the residency requirements prior to attending school, then he/she will maintain their residency status provided that they obtain documents indicating that Guam is their permanent resident and that such athlete has not abandoned his/her Guam residency for another.
- Section 7: If an athlete was a resident of or was domiciled on Guam prior to joining the U.S. Armed Forces; he/she shall not lose his/her Guam residency during the period he/she is in the military regardless of where he/she is located. The time in the military during the requisite period shall count towards the requisite period for residency, unless it is determined that such athletes had abandoned his/her Guam residency for another.
- Section 8: An athlete over 21 years of age who abandoned his/her Guam residency for another shall automatically lose their residency and eligibility.
- Section 9: An athlete training specific to athletics outside of Guam has a maximum of six (6) months prior to losing his/her eligibility.
- a. All off-island training must have prior approval by the board.

- b. Training must be
 1. Under the supervision of certified coach (IAAF, USATF, or other certification affiliated and recognized by GTFA/IAAF).
 2. Or in an approved training center such as a high performance center, Olympic training center, etc.

ARTICLE 6. OFFICERS / BOARD DIRECTORS

- Section 1: Eligibility requirement for board members- The board of directors shall consist of members of the corporation who have lived on Guam a total of five (5) consecutive years.
- Section 2: Number and term of Officers/Directors- The business, property and affairs of this corporation shall be managed by a Board of Directors composed of eleven (11) persons who shall be members of this corporation. Each director shall hold office for a term of four (4) years and until his/her successor is elected and qualified.
- Section 3: Power to elect officer- The board of directors shall select a president, a vice-president, a general secretary, treasurer, male athlete representative, and female athlete representative.
- Section 4: Power to appoint other officers and agents- The board of directors shall have the power to appoint such other officers and agents as the board may deem necessary for transaction of the business of the corporation.
- Section 5: Removal of officers and agents- The board of directors may remove any officer or agent whenever in the judgment of the board the interest of the corporation will be served there by.

ARTICLE 7. MEETINGS

- Section 1: Place of meeting- Any or all meetings of the members and of the board of directors, of this corporation may be held within or without the Territory of Guam.
- Section 2: Annual meeting of the members- After the year 1989, (the year of organization) an annual membership meeting shall be held each year in April. One of the purposes of such meeting shall be the election of the board of directors (every 4 years), membership renewal, and announcements of events.
- Section 3: Notice of annual meeting- At least 10 days prior to the date set by the directors for the annual meeting of the members, notice of the time, place and purpose of such meeting shall either published in a paper of general circulation on Guam and/or written notice of the annual meeting of members may be either mailed or delivered to each member entitled to vote at such hearing.
- Section 4: Delayed annual meeting- If, for every reason the annual meeting of members shall not be held in the month herein before designated, such meeting may be called and held as a special meeting, and the same proceedings may be had threat an annual meeting, provided however, that the notice of such meeting shall be the same herein required for the annual meeting, namely not less than a ten (10) day notice.

Section 5: Order of business at annual meeting- The order of business at the annual meeting of the members shall be as follows:

- a. Roll call
- b. Reading of notice and proof of notice
- c. Reading of the minutes of the last proceeding meeting
- d. Report of the President
- e. Report of the Secretary
- f. Report of the Treasurer
- g. Election of directors as required
- h. Transaction of other business mentioned in the notice
- i. Adjournment

Provided that, in the absence of any objection, the presiding officer may vary the order of business at discretion.

Section 6: Special meeting of members- A special meeting of the members may be called at any time by the president, or by majority of the board of directors. The method by which such meeting may be called is as follows: Upon receipt of specification in writing setting forth the date and objects of such proposed special meeting signed by the president, or by a majority of the board of directors, the secretary shall arrange that at least ten (10) days prior to the date set by the directors for the special meeting of members, notice of the time, place, and purpose of such meeting shall be either published in a paper of general circulation on Guam and/ or written notice of the special meeting of members may be either mailed or delivered to each member entitled to vote at such meetings.

Section 7: Organization meeting of the board of directors- At the place of holding the annual meeting of members and immediately following the same, the board of directors as constituted upon a final adjournment of such annual meeting shall convene for the purpose of electing officers and transacting any other business properly brought before it, provided, that the organization meeting in any year may be held at a different time and place than that herein provided, by consent of majority of the directors of such new board.

Section 8: Regular meetings of the board- Regular meetings of the board of directors shall be held not less frequently than every six (6) months, at such time and place as the board of directors shall from time to time determine. No notice of regular meeting of the board shall be required.

Section 9: Special meetings of the board- Special meetings of the board of directors may be called by the president at any time by means of such written notice of time, place and purpose thereof to each director as the president in his discretion shall deem sufficient, but action taken at any such meeting shall not be invalidated for want of notice if such notice shall be waived as hereinafter provided.

Section 10: Wavier of notice- Notice of the time, place and purpose of any meeting of the members of the board of directors, may be waived by telegram, radiogram, cablegram, or other writing and or electronic message, either before such meeting has been held.

ARTICLE 8. QUORUM

Section 1: Quorum of members- Presence of majority of the members with voting rights of this corporation shall constitute a quorum at any meeting of the members.

BY-LAWS

ARTICLE 1. MEMBERSHIP

Section 1: Admission to membership- Any person or group desiring to become a member of the corporation shall file with the Secretary or Treasurer, a written application for membership, and the payment of fees and dues, a certificate of membership, in such form as may be prescribed by the Board of Directors for acceptance. Upon election to membership, and the payment of fees and dues, a certificate of membership, in such form as may be prescribed by the Board of Directors, shall be issued to each member.

Section 2: Members- A member may be any person, association, club, school, etc., which promote track and field sports. Member will consist of:

a. ACTIVE MEMBERSHIP: A member who has met all requirements established by the constitution and by-laws, whose application has been accepted and whose dues are current. They have the right to vote, are eligible to hold office, and have all other rights and privileges of memberships.

b. HONORARY MEMBERSHIP: A member who shall be given membership dues or fees, and shall not have a vote or be able to hold office in the corporation by a majority vote of the members attending a regular annual meeting.

Section 3: Dues and fees:

a. ACTIVE MEMBERSHIP- \$10.00 per person annually

b. HONORARY MEMBERSHIP- No dues or fees.

ARTICLE 2. VOTING, ELECTION, AND PROXIES

Section 1: Who is entitled to vote- Except as the articles or an amendment, or amendments thereto otherwise provide, each member of this corporation shall at every meeting of the members, be entitled to one vote in person upon each subject properly submitted to vote.

Section 2: Censure, Suspensions, Expulsions- The Board of Directors may censure, suspend, or expel any member, working contrary to the objectives, constitution, or By-laws of the corporation. A member of the corporation may be censured, suspended, or expelled by the Board of Directors, by two-thirds vote. Before such action, may be taken, written notice of proposed hearing on the charges must be

given to the member at least ten (10) days prior to the date of the proposed hearing. At the hearing, the member charged shall be given the opportunity to be heard and present evidence in answer to the charges. The disqualification of any member for disciplinary action shall terminate his/her membership in the corporation. The Board of Directors may assess fines of monetary value in any or all-disciplinary cases as they deem appropriate necessary, however, the member may appeal to the Board of Directors for cause.

ARTICLE 3. BOARD OF DIRECTORS

- Section 1: Vacancies- Vacancies in the board of directors shall be filled by appointment made by the remaining directors. Each person so elected to fill a vacancy shall remain a director until his/her successor has been elected by the members, who may make such election at their next annual meeting or at any special meeting duly called for that purpose and held prior there to.
- Section 2: Action by unanimous written consent- If and when the directors shall severally or collectively consent in writing to any action to be taken by the corporation; such action shall be as valid corporation as though it has been authorized at a meeting of the board of directors.
- Section 3: Power to make By-Laws- The board of directors shall have the power to make and alter or amend any by-law or by-laws, including the fixing and altering of the number of the directors, provided, that the board shall not make or alter any by-law or by-laws fixing the qualifications, classifications or term of office of any member or members of the then existing board.
- Section 4: Power to fill vacancies- The board shall have power to fill any vacancy in any office occurring from any reason whatsoever.
- Section 5: Delegation of powers- For any reason deemed sufficient by the board may delegate all or any of the power and duties of any officer to any other officer or director.
- Section 6: Power to require bonds- The board of directors may require any officer or agent to file with the corporation a satisfactory bond conditioned for faithful performance of his duties.

ARTICLE 4. RESPONSIBILITIES OF OFFICERS

- Section 1: *President*- The president shall be selected by, and from the membership of the board of directors. He/she shall be the chief executive officer of the corporation. He/she shall preside overall meetings of the board and of the members. He/she shall have general and active management of the business of the corporation and shall see that all orders and resolutions of the board are carried into effect. He/she shall be exofficio a member of all standing committees and shall have the general powers and duties of supervision and management usually vested in the office of the president of a corporation.
- Section 2: *Vice-President*- The vice-president shall be selected by the board of directors and shall perform the duties and exercise the powers of the president during the absence or disability of the president. At the discretion of the board this office may remain vacant.

- Section 3: *General Secretary*- The secretary shall attend all meetings of the members and of the board of directors, and of the executive committee, and shall preserve in books of the corporation true minutes of the proceedings of all such meetings. He/she shall safely keep in his/her custody the seal of the corporation and shall have authority to affix the same to all instruments where its use is required. He/she shall give all notices required by statute, by-law or resolution. He/she shall perform such other duties as may be delegated to him/her by the board of directors or by the executive committee.
- Section 4: *Treasurer*- The treasurer shall have custody of all corporate funds and securities and shall keep in books belonging to the corporation full and accurate accounts of all receipts and disbursements; he/she shall deposit all moneys, securities and other valuable effects in the name of the corporation in such depositories as may be designated for that purpose by the board of directors. He/she shall disburse the funds of the corporation as may be ordered by the board, taking proper vouchers for such disbursements, and shall render to the president and directors at the regular meeting of the board, and whenever requested by them, an account of all his/her transactions as treasurer of the financial condition of the corporation. If required by the board, he/she shall deliver to the president of the corporation and shall keep in force, a bond and form, amount and with a surety or sureties satisfactory to the board, conditioned for faithful performance of the duties of his/her books, papers, vouchers, money and property of whatever kind in his/her possession or under his/her control belonging to the corporation.
- Section 5: Combination of the offices of secretary and treasurer- The board of directors, at its discretion, may decide to combine offices of the secretary- treasurer. The individuals selected to such a position would be required to perform as heretofore describe above all the duties and responsibilities of the secretary and the treasurer.

ARTICLE 5: COMMITTEES

- Section 1: Executive committee- The officers of the corporation shall constitute themselves as executive committee and between the meetings of the board shall exercise such powers as delegated to it by the board of directors. All action of the executive committee shall be subject to the approval of the board. The executive committee shall meet upon call of the president of the board and a quorum shall consist of two members.
- Section 2: Committees and standing committees- The president, with approval and consent of the board of directors, shall appoint with a reasonable time after the annual meeting, standing committees consisting of as many active and sustaining members as he/she may deem necessary. The chairperson of each standing committee shall be a member of the board of directors. These standing committees may be:
- Finance
 - Sponsors and Advisors
 - Publicity and Public Relations
 - Athletics International Relation
- Section 3: Committees- (a) The standing committees shall serve until the next annual meeting of the corporation or until their successors are appointed. (b) Special committees may be appointed by the president at any time with the consent and approval of the board of directors. (c) A committee may be dissolved by the president at any time with the consent and approval of the board of directors. (d) Committee meetings shall be called by the chairperson thereof.

ARTICLES 6. EXECUTION OF INSTRUMENTS

- Section 1: Checks, etc. All checks, drafts and orders for payment of money shall be signed in the name of the corporation and shall be countersigned, by such officers or agents as the board of directors shall from time to time designate for that purpose.
- Section 2: Contracts, conveyance, etc. When the execution of any contract, conveyance or other instrument has been authorized without specification of the executing officers, the president, or vice-president, and either the secretary; treasurer or combined secretary-treasurer may be execute the same in the name and behalf of the corporation and may affix the corporate seal thereto. The board of directors shall have power to designate the officers or agents who shall have authority to execute any instrument in behalf of this corporation.

ARTICLE 7. FISCAL AFFAIRS AND AUDITS

- Section 1: The fiscal year of the corporation shall be from May 1 to April 30, both inclusive.
- Section 2: At the discretion of the board of directors an audit of the books and records of the corporation shall be undertaken by and independent certified public account. This audit shall cover whatever period of time deemed appropriate by the board and the finding of the audit will be made public at the members meeting following receipt of the audit report by the board.
- Section 3: All funds raised within the Territory of the corporation shall be deposited in banks or depositories in the name of the corporation upon resolution made by the board of directors of the corporations. All withdrawals from such banks or depositories shall be made by check or similar order bearing two signatures as authorizes by the board of directors. All funds raised by the corporation, such budget to be approved the board of directors.

ARTICLE 8. MEMBERSHIP TO THE INTERNATIONAL ASSOCIATION OF ATHLETICS FEDERATION (IAAF)

The Guam Track and Field Association will submit to the IAAF, within the first three months of each year, an annual report that shall include the following information:

- Federation addresses, telephone, telex, etc.
- List of Officers of the Federation
- A current copy of the Constitution and By Laws
- Active membership of the Federation (i.e. clubs, athletes, coaches, officials)
- Major Championships and events held during the year (senior, junior, etc.)
- National Records at the close of the year
- Report of out of competition doping control

A copy of the report will be submitted to the Oceania Amateur Athletic Association at the same time.

ARTICLE 9. ATHLETE'S REPRESENTATIVE

~~No athlete will be granted the *Guam Track & Field Association's consent to use an Athlete's Representative, and no Athlete's Representative shall be authorized unless a written contract exist between the athlete and hid/her representative which contains the minimum terms set out in the IAAF Regulations concerning Federation/Athlete's Representative.~~

Amended August 14, 2019:

1. **National Federation Athletes Commission**

1. The IOC 2000 Reform Commission recommended that "athletes should be well represented at all levels of the sports movement; IOC, IFs, NOCs and NFs". Pursuant to this recommendation, the GNOC and the Guam National Athletes Commission encourages NFs to form their Commissions.

Athletes for election to the National Federation Athletes' Commission must be nominated by a Commission authorized by the NF or through a resolution providing procedural information on how the NF AC is comprised.

The NF AC will then choose a male and female representative to the Guam National Athletes Commission, submitted to the Guam National Olympic Committee by the NF's Secretary-General. The same two representatives shall sit on the Board of the National Federation with voting privileges.

ARTICLE 10. DISPUTES

All disputes between the Guam Track and Fields Association and an athlete and the IAAF, shall be submitted to arbitration. In the case of a dispute between the Guam Track and Field Association and an athlete, this dispute should be submitted to an arbitration panel constituted by the Guam Track and Field Association. In the case of a dispute between and athlete and the IAAF, this dispute may, at the option of the IAAF council, be submitted to the IAAF's Arbitration Panel.

The decision of the Arbitration Panel shall be final and binding on all parties, and on all Members of the IAAF, a no right of appeal will lie from the Arbitration Panel's decision.

Where the Council has recognized the decision of a Member in accordance wit Rules 54 and 61, no reference shall be made to the arbitration Panel under these rules.

ARTICLE 11. OUT-OF-COMPETITION TESTING

The Guam Track and Field Association will:

- (i) Conduct out of completion doping control, a report of which will be submitted to the IAAF annually and
- (ii) Allow the IAAF to conduct doping control at National Championships or any similar meeting conducted by the Guam Track and Field Association and
- (iii) Allow the IAAF to conduct out of completion testing on athletes who are members of the Guam Track and Field Association.

Amended August 14, 2019:

1. **World Anti-Doping Agency (WADA) and Oceania Regional Anti-Doping Organization (ORADO)**

1. The National Federation is encouraged to ensure that the following steps are taken to be in compliance with the February 2015 accord set by the World Anti-Doping Agency. The Guam National Olympic Committee signed into the accord and has commissioned the Oceania Regional Anti-Doping Organization to act on its behalf for its compliance measures.

The National Federation hereby accepts the World Anti-Doping Agency codes, will implement and enforce the code as required. The NF will comply with the testing of athletes in- and out-of-competition and assist the Guam National Olympic Committee in conjunction with ORADO on anti-doping education. Furthermore, the NF shall abide by the decision(s), if any, handed by WADA, in cases where an athlete of the National Federation is found to be in violation of the code and take necessary action, including but not limited to, the verdict provided.

**BOARD OF DIRECTORS
2017-2021**

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SECRETARY

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_____PAUL DIMILANTA
MALE ATHLETE REPRESENTATIVE

_____CELINE AMPARO
FEMALE ATHLETE REPRESENTATIVE