

Photo by Bill Kauffman



## Section IV: Corporate Governance

## **ARTICLES OF INCORPORATION OF USA VOLLEYBALL (NON-PROFIT)**

KNOW ALL MEN BY THESE PRESENTS, that I, DOUGLAS P. BEAL, of Colorado Springs, El Paso County, Colorado, being a natural person over the age of eighteen (18) years and a citizen of the United States and resident of the State of Colorado, hereby establishes a corporation not for profit, under the provisions of the Colorado Nonprofit Corporations Act, Article 121 et. seq., Title 7, Vol. 2, 1999, Colorado Revised Statutes, as amended.

### **ARTICLE I**

The name of the corporation shall be USA VOLLEYBALL.

### **ARTICLE II**

The term of existence of the corporation shall be perpetual. The corporation shall have no members. Any action which would otherwise require approval by a majority of all members or approval by the members shall require only approval of the Board. All rights which would otherwise vest in the members shall vest in the directors.

### **ARTICLE III**

This corporation is organized exclusively for charitable purposes and as an amateur athletic organization, including for such purposes the making of distributions to organizations that qualify as exempt organizations under Section 501 C (3) of the Internal Revenue Code or the corresponding provision of any future United States Revenue Law concerning tax exemptions for non-profit organizations.

The purposes for which the corporation is organized are in particular the pursuit of social, athletic, pleasurable and recreational endeavors and in general to engage in the transaction of all lawful business for which non-profit corporations may be incorporated pursuant to the Colorado Nonprofit Corporations Act, as amended, and in connection with the foregoing purposes, to have all the powers which a non-profit corporation formed under the Colorado Nonprofit Corporations Act, as amended, may have, including but not limited to:

1. Teach the sport of volleyball to the children and adults by holding clinics conducted by qualified instructors in schools, playgrounds and parks;
2. Provide practice volleyball sessions, classroom lectures, seminars and panel discussions through which selected trainees may be schooled in competitive coaching, playing, officiating and scouting techniques;
3. Foster and conduct area, regional, state and national amateur volleyball competitions;
4. Unite those organizations in the United States that are supportive of the purposes of this corporation and to aid those organizations in developing volleyball programs;
5. Select and train suitable candidates in the techniques of volleyball in national and international competition and thereby improve the caliber of candidates representing the United States in Olympic, Pan American and World Games competitions;
6. Foster and conduct amateur volleyball programs between the United States and foreign nations for the exchange and training of suitable candidates in the techniques and practices of volleyball in countries other than their own;

7. Represent the volleyball interests of the United States in national and international amateur sports organizations; and

8. Collect, compile and maintain a complete and continuous record and history of volleyball and in cooperation with educational and related institutions throughout the United States make said records available for research, study and interpretive use.

The foregoing enumeration of the purposes of the corporation is not intended to prohibit or limit the exercise of power now or hereafter allowed or permitted by law to the said corporation.

**ARTICLE IV**

The address of the corporation's principal office is 715 South Circle Drive, Colorado Springs, Colorado 80910, and the name of its initial registered agent and initial registered office is DOUGLAS P. BEAL at 715 South Circle Drive, Colorado Springs, Colorado 80910.

**ARTICLE V**

The name and place of residence of the incorporator is:  
Douglas P. Beal  
715 South Circle Dr.  
Colorado Springs, Colorado 80910

**ARTICLE VI**

Board of Directors

The name and addresses of the initial Board of Directors of the corporation are:

1. Douglas P. Beal, Chief Executive Officer  
715 South Circle Dr.  
Colorado Springs, Colorado 80910
  
2. Kerry J.W. Klostermann, Secretary General  
715 South Circle Dr.  
Colorado Springs, Colorado 80910
  
3. Stewart McDole, Treasurer  
715 South Circle Dr.  
Colorado Springs, Colorado 80910

**ARTICLE VII**

No part of the net earnings of the corporation shall inure to the benefit of, or be distributed to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these Articles, the corporation shall not carry on any other activities not per-

mitted to be carried on (a) by a corporation exempt from Federal Income Tax under Section 501 (c)(3) of the Internal Revenue Code or the corresponding provisions of any future United States Internal Revenue Law, or (b) by a corporation, contributions to which are deductible under Section 170 (c)(2) of the internal Revenue Code or the corresponding provisions of any future United States Internal Revenue Law.

Upon dissolution of the corporation, the Board of Directors shall, after paying or making provisions for the payment of all the liabilities of the corporation, dispose of all of the assets of the corporation exclusively for the purpose of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501 (c)(3) of the Internal Revenue Code or the corresponding provision of any future United States Internal Revenue Law, as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by the Court of general jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purpose or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

IN WITNESS WHEREOF, the incorporator has hereunto set hand and seal this 18th day of December, 2006.

**2012-2013 BYLAWS  
of  
USA VOLLEYBALL**

Adopted: May 23, 2008  
Last Amended: Oct. 24, 2011

**ARTICLE I. NAME AND OFFICES**

1.01 **Corporation.** The name of this organization, incorporated in the State of Colorado, shall be USA VOLLEYBALL (the "Corporation"). The Corporation succeeds without interruption to all assets, purposes, and activities of the United States Volleyball Association, a California corporation.

1.02 **Business Offices.** The principal office shall be located in Colorado Springs, Colorado. The Board of Directors ("Board") may change the location of the principal office, and the Board may also establish or discontinue other offices at places where the Corporation is qualified to do business. The registered office of the Corporation may be, but need not be, the same as the principal office, and the address of the registered office may be changed from time to time by the Board.

**Article II. VISION, MISSION AND GOALS**

2.01 **Vision.** The vision of the Corporation is to be acknowledged as the world leader in volleyball.

2.02 **Mission.** The Corporation shall have the responsibility to accomplish the following mission(s):

- A. Attain excellence in all aspects of the sport of volleyball.
- B. Nominate and/or approve athletes, teams, administrators and officials for all Corporation-sanctioned international volleyball competitions.
- C. Promote and develop, through itself and its Member Organizations, the sport of volleyball in the United States.
- D. Establish standards for Regional Volleyball Associations of USA Volleyball.
- E. Conduct national championships and other open competitions.
- F. Ensure compliance with United States Olympic Committee policies and procedures to maintain recognition as the Olympic and Pan American National Governing Body for volleyball in the United States.
- G. Promote and develop, through itself and its Member Organizations, the sport of sitting volleyball in the United States.
- H. Ensure compliance with Federation Internationale de Volleyball policies and procedures to maintain recognition as the United States National Federation for volleyball worldwide.

2.03 **Goals.** The Corporation shall have the following goals:

- A. Competitive Success: to win gold medals in every international competition;
- B. Sport Growth: to achieve full participation in volleyball at all levels and in all geographical areas of the United States;

- C. Sport Enhancement: to improve support services necessary for the conduct of quality programs to ensure recognition as the international authority and expert for volleyball;
- D. International Representation: to have influential positions on all important volleyball international boards and commissions;
- E. Recognition: to receive consistent recognition of USA Volleyball coaches and athletes as top world performers;
- F. Administration: to develop and maintain a structure which will effectively and efficiently assist in achieving the vision and mission of the Corporation; and
- G. Finances: to develop, implement and maintain a financial plan to achieve the vision and mission of the Corporation.

### **Article III. DEFINITIONS**

#### **3.01 Definitions.** As used in these Bylaws the term --

- A. "Act" refers to the Ted Stevens Olympic and Amateur Sports Act of 1998;
- B. "Amateur athlete" refers to any athlete who meets the eligibility standards established by the National Governing Body or Paralympic Sports Organization for the sport in which the athlete competes;
- C. "Amateur athletic competition" refers to a contest, game, meet, match, tournament, or other event in which amateur athletes compete;
- D. "Amateur sports organization" refers to a not-for-profit corporation, club, federation, union, association, or other group organized in the United States which sponsors or arranges amateur athletic competition;
- E. "Board" refers to the Corporation's Board of Directors;
- F. "CEO" refers to the Corporation's Chief Executive Officer;
- G. "Corporation" refers to USA Volleyball;
- H. "Domestic athlete" refers to a volleyball player who meets the current eligibility standards for participation in the Corporation's domestic volleyball events;
- I. "FIVB" refers to the Federation Internationale de Volleyball, which is the international federation for the sport of volleyball and beach volleyball;
- J. "IF" refers to an international federation which is a non-governmental organization as recognized by the International Olympic Committee (IOC);
- K. "International amateur athletic competition" refers to any amateur athletic competition between any athlete or athletes representing the United States, either individually or as a part of a team, and any athlete or athletes representing any foreign country; (Note: This term is not intended to be limited to athletes or teams known as "national" teams of the United States. In the context of this definition, it is intended that any United States amateur sports organization which wishes to conduct or sponsor amateur athletic competition between the United States amateur athletes, or teams of United States amateur athletes representing such organization and athletes or teams of amateur athletes representing a foreign country or institution, must obtain a sanction from the appropriate National Governing Body or Paralympic

Sports Organization. Correlatively, an NGB or PSO must sanction such international amateur athletic competition upon satisfaction by the applicant organization of the objective and nondiscriminatory sanction criteria set forth in Section 220525 of the Act. This definition is not intended to change the prevailing practices which vary from sport to sport with respect to sanctioning of regular "border" scholastic or collegiate competition between American and Canadian or Mexican educational institutions, nor is any provision in these Bylaws intended to authorize an NGB or PSO to designate or select (as distinct merely from certifying on request the eligibility or amateur status of) the United States amateur athletes or team of United States amateur athletes to participate in an international competition other than one involving a United States national team.)

- L. "International athlete" refers to a volleyball player who meets the current eligibility standards as defined in the corporation documents of the USOC;
- M. "IOC" refers to the International Olympic Committee;
- N. "IPC" refers to the International Paralympic Committee;
- O. "Member Organization" refers to either a Regional Volleyball Association of USA Volleyball or an Affiliated Organization as defined in these Bylaws;
- P. "MRC" refers to the Member Relations Commission;
- Q. "NGB" refers to any national governing body which is an amateur sports organization recognized by the USOC in accordance with Article X of the USOC Bylaws;
- R. "NGC" refers to the Nominating and Governance Committee;
- S. "PASO" refers to the Pan American Sport Organization, a confederation of national Olympic committees from the Americas;
- T. "Protected competition" refers to any amateur athletic competition where athletes or teams have been officially designated by the appropriate NGB or PSO as representing the United States in accordance with the Act and the USOC Bylaws;
- U. "PSO" refers to a paralympic sports organization which is an amateur sports organization recognized by the USOC in accordance with Article X, Section 10.6 of the USOC Bylaws;
- V. "Quadrennium" refers to the four-year (4-year) period that commences on the first day after the conclusion of the Summer Olympic Games and extends through the next Summer Olympic Games;
- W. "Sanction" refers to an official approval issued by the Corporation;
- X. "Volleyball" refers to "volleyball," "beach volleyball" and/or "sitting volleyball," as appropriate.
- Y. "USOC" refers to the United States Olympic Committee.

**3.02 Jurisdiction.** The Corporation shall enforce and comply with all rules and regulations of the USOC, IOC, FIVB, PASO, and the IPC. Pursuant to the authority granted by the USOC, IOC, FIVB, PASO, and the IPC, the Corporation shall have exclusive jurisdiction to nominate individuals who will represent the United States in the Olympic Games, the Pan American Games, the Paralympic Games and FIVB and/or FIVB approved competitions. The Corporation shall enforce with respect to such nominations the definition of an eligible athlete adopted by the USOC, IOC, FIVB, PASO, or the IPC, as relevant.

## Article IV. MEMBER ORGANIZATIONS

4.01 **Organizations.** Organizations eligible to become Member Organizations of the Corporation shall be those which take some active part in the administration of the sport of volleyball and/or that are engaged in efforts to promote the participation in, or preparation for, amateur athletic competition in the sport of volleyball.

There shall be two categories of organizations eligible to affiliate with the Corporation as Member Organizations.

- A. Regional Volleyball Associations of USA Volleyball (RVAs). Not-for-profit regional volleyball organizations approved by the Corporation and doing business in association with the Corporation in a defined geographical area or territory of the United States.
  1. An RVA must satisfy the following criteria:
    - a. Identify its current principal representative to the Corporation;
    - b. Has both male and female leadership, as volunteers and/or paid staff, available to perform functions as player representatives and directors for programs and activities;
    - c. Select, over appropriate terms, its Board of Directors and Officers in a manner consistent with the laws of the state of incorporation, and unless otherwise indicated by law or necessity, in a “democratic” manner, meaning elected versus appointed;
    - d. Is incorporated under the laws of the state (or if a multi-state organization, under the laws of one of the states) in which it is located, as a not-for-profit corporation. Upon dissolution or termination of recognition, with just cause, as an RVA by the Corporation, all assets shall inure to the benefit of the Corporation for use in the same geographical area of the RVA for the development of volleyball activity;
    - e. Provide the Corporation with a current copy of its Articles of Incorporation, IRS tax-exempt determination letter and EIN number and its Bylaws and include an “Amended as of...” date on all of its corporate documents;
    - f. Use the rules of play adopted by the Corporation or a variation thereof for developmental purposes;
    - g. Register participants only with the Corporation;
    - h. Pays administrative fees and dues established by the Corporation;
    - i. Adopt, support and implement a Due Process Procedure;
    - j. Recognizes and adopts for purposes of RVA activities and privileges any penalties imposed by the Corporation’s Ethics and Eligibility Committee;
    - k. Adopt, support and implement the policies of the Corporation;
    - l. Adopt, support and implement a Conflict of Interest Policy;
    - m. Comply with the requirements of the Corporation’s Operating Code;
    - n. Any RVA failing to pay administrative fees or to submit reports required by the Corporation or by any government entity shall be report-



- ed to the Chair of the Regional Volleyball Association Assembly (RVA Assembly) Compliance Committee. If the RVA fails to pay such fees or submit such reports within thirty (30) days after receiving formal written notice of such deficiencies from the Chair of the RVA Assembly, the Chair will refer the matter to the Corporation's CEO for review and appropriate action. If the RVA fails to pay such fees or submit such reports within thirty (30) days after receiving formal written notice of such deficiencies from the Corporation's CEO, the matter shall be referred to the Board for appropriate action, which may include withdrawal of recognition as an RVA as per Article 6.02 D 3 of these Bylaws.
2. Process for establishing a new RVA: when making an initial application for recognition as an RVA, refer to Section 4.04 of the Corporation's Operating Code.
- B. **Affiliated Volleyball Organizations.** Not-for-profit and for-profit organizations approved by the Corporation, which contribute to the development of volleyball. The Board of the Corporation shall have the power to admit to affiliation, within the criteria specified herein, organizations making application for affiliation. The Board shall further have the power to withdraw affiliation from an organization as provided for in Article 6.02 D 3 of these Bylaws.

To apply for approval as an Affiliated Volleyball Organization, an organization must do the following:

1. **Application Process:**
  - a. Request an application form from the Secretary of the Corporation;
  - b. Deliver its written application in person or by first class mail postage prepaid to the principal office of the Corporation so that it is received no less than 60 days prior to the next meeting of the Board of Directors;
  - c. Append to such application its current Articles of Incorporation, Bylaws, Operating Code and/or other applicable governing documents and such other information as deemed appropriate; and
  - d. Submit the application duly signed by its CEO or other authorized representative.
2. **Affiliated Organization Requirements:**
  - a. Support, in word and action, the policies, goals, programs and Bylaws of the Corporation;
  - b. Pay administrative fees and dues established by the Corporation;
  - c. An Affiliated Organization failing to pay annual dues, if any, established by the Board shall forfeit Affiliated Organization status and must re-apply following the procedures described in Article 4.01 B 1a of these Bylaws;
  - d. Submits reports required by the Corporation and specified in the Corporation's Bylaws and/or Operating Code.

**4.02 Administrative Fees and Dues.** Administrative fees and dues, if any, and date of payment, annual or otherwise, shall be approved by the Board.

**4.03 Proprietary Interest of RVAs and Affiliated Organizations.** RVAs and Affiliated Organizations have no proprietary interest in the

Corporation or in property at any time owned by the Corporation. RVAs and Affiliated Organizations shall have no right to receive, by reason of affiliation, any of the property of the Corporation either upon dissolution or otherwise.

**4.04 Liability of RVAs and Affiliated Organizations.** No organization which now is, or which later becomes, a RVA or Affiliated Organization of the Corporation shall be liable to the Corporation's creditors for any indebtedness or liability, and any and all creditors of the Corporation shall look only to the assets of the Corporation for payment.

**4.05 Individuals and Teams.** There shall be no individual, team or organizational membership in the Corporation other than those specified in this Article IV. For purposes of Section 7-127-202 of the Colorado Nonprofit Corporation Act, any members of the Corporation shall be considered non-voting members and shall have only those voting rights as specified in these Bylaws. Individuals and teams may associate with the Corporation as registrants as specified in the Operating Code of the Corporation, either with a RVA or directly through the corporate office. Such individuals and teams will not be considered members and will not have voting rights. To the extent that persons or teams so participating or affiliating with the Corporation may from time to time, for convenience, be referred to as "members," they shall nonetheless not be considered members within the meaning of these Bylaws, or within the meaning of Title 7, Article 127 of the Colorado Nonprofit Corporation Act, and shall not have voting rights.

**4.06 Authority.** Except as otherwise expressly established in these Bylaws, all questions relating to Member Organizations shall be ultimately decided by the Board.

**4.07 Suspension or Expulsion of Member Organizations.** Any Member Organization or a representative of a Member Organization may be suspended or expelled from affiliation or association with the Corporation by the affirmative vote of at least two-thirds (2/3) of the total voting power of the Board. Decisions of the Board regarding the status of Member Organizations within the Corporation and/or violations of the Bylaws, the Operating Code or other governing documents of the Corporation may be appealed to the American Arbitration Association (AAA) for binding arbitration. Suspension or expulsion may result from, but is not necessarily limited to, the following actions:

- A. Violations of the provisions of these Bylaws and/or Operating Code and/or other governing documents of the Corporation,
- B. Unconscionable actions during Corporation activities,
- C. Actions contrary to the fundamental objectives, integrity or best interests of the Corporation; or
- D. Evidencing a pattern of allowing or encouraging teams or individuals associated with the Member Organization to act as described above.

A suspension may be for such period as the Board shall determine. Absent the threat of significant harm to the Corporation, another Member Organization or individuals, a Member Organization shall be given at least thirty (30) days prior written notice of a Board meeting at which a motion to suspend or expel will be considered. The Member Organization will be provided an opportunity to make an oral or written presentation to show reason why it should not be expelled or suspended.

## **Article V. BOARD OF DIRECTORS**

### **5.01 Composition and Authority.**

- A. **Number of Directors.** All corporate powers and affairs of the Corporation shall be governed by the Board whose members are selected without regard to gender, race, color, religion or national origin, at least twenty percent (20%) representation by international athletes and at least twenty percent (20%) representation by independent persons as defined in these Bylaws.
- B. **Composition.** The Board shall be composed of fifteen (15) individuals, each of whom shall have vote, selected as hereinafter provided. An individual may hold no more than one voting position on the Board at any one time.
- C. **Term Limits.** A member of the Board shall be eligible to serve a maximum of two (2) consecutive terms (a “term” is defined as serving all or part of a term). An individual may serve two (2) consecutive terms, sit out one (1) term, and then again be eligible for nomination/election/selection to the Board. A Director’s term shall begin on July 1 of the year (s)elected and end June 30 of the final year of the term.
- D. **Employees.** Employees of the Corporation are not eligible to be a member of the Board. The CEO shall be entitled to attend Board meetings and shall have voice but not vote on all matters. Other employees of the Corporation may serve in ex-officio, non-voting capacities on any structure or substructure of the Corporation concurrent with their term of employment. Individuals engaged as independent contractors and/or current members of National Teams shall not be considered employees of the Corporation.
- E. **Conflict of Interest.** Board members shall recuse themselves from discussing or voting on issues where they have an actual or perceived conflict of interest.
- F. **Representatives of Member Organizations** may attend Board meetings with no voice or vote, but may be granted voice upon request.
- G. In the election, selection, or direct appointment to the Board, an affirmative effort must be demonstrated by the entity electing, selecting, or directly appointing that is consistent with the Corporation’s Diversity Policy.

### **5.02 Powers of the Board of Directors.**

- A. **General Statement:** The Board, in the furtherance of the specific and primary purpose of the Corporation, as expressed in its Articles of Incorporation and these Bylaws, may perform such acts as necessary to exercise the powers of the Corporation.
- B. **General Powers:** The Board shall oversee the management of the Corporation and its affairs, but it will not manage the Corporation. The Board shall represent the interests of the volleyball community in the United States and its athletes and members by providing financial oversight, policy, guidance and strategic direction. The Board shall focus on long-term objectives rather than day-to-day management, empowering the CEO to manage a staff-driven organization with effec-

- tive oversight.
- C. Policy Governing the Exercise of Powers by the Board: It shall be the policy of the Corporation to budget and disburse each year appropriate and prudent revenues in the furtherance of its primary and specific purposes as stated in its Articles of Incorporation. It also shall be the policy of the Corporation that the Corporation shall not engage in any of the following transactions:
1. Lending any part of its income or principal to donors, to members of the families of donors, or to corporations controlled by donors;
  2. Making any part of the Corporation's services available, on a preferential basis, to donors, or to members of donors' families or to corporations controlled by donors or members of donors' families;
  3. Making any substantial purchase of securities or other property from donors, members of donors' families, or corporations controlled by donors or members of donors' families for more than adequate consideration;
  4. Selling any substantial part of the property of the Corporation to donors, members of donors' families, or corporations controlled by donors or members of donors' families for less than adequate consideration;
  5. Engaging in any transaction resulting in a substantial diversion of the income or corpus of the Corporation to donors, members of a donor's family, or corporations controlled by donors or members of a donor's family; the Board, in the exercise of its powers, stated in subsection A and B of this Article 5.02 of the Bylaws, shall be governed by and shall observe the policies stated in this subsection C.
- D. Authority. The Board shall have oversight of the business and financial affairs of the Corporation and ultimate authority over the activities of the Corporation, including, but not necessarily limited to:
1. Electing and removing the Chair of the Board;
  2. Removing a member of the Board or any member of a Board Committee for cause;
  3. Removing any RVA or Affiliated Organization for cause;
  4. Enacting, amending or repealing provisions of these Bylaws; and
  5. Admitting, terminating or reclassifying Member Organizations as provided by these Bylaws and communicating with those organizations.
- E. Responsibilities. The Board shall have the following responsibilities, including but not necessarily limited to:
1. Ensuring that the Board is properly structured and capable of acting in case of corporate crisis;
  2. Employing, establishing compensation, evaluating and terminating the employment of the CEO;
  3. Creating policy direction for the CEO and staff on significant issues facing the Corporation;
  4. Reviewing and taking necessary action on the Corporation's strategic plan and the annual operating plans, budget, business plans, corporate performance and other significant corporate actions;
  5. Planning for management succession;
  6. Monitoring the financial reporting process, communications with

- constituents, and the Corporation's legal and regulatory compliance program and the performance of its broader responsibilities (such as conformance to the "Act", USOC Bylaws and FIVB Constitution);
7. Setting policy on capital structure, financial strategies, borrowing commitments and long-range financial planning;
  8. Monitoring the Corporation's assets to ensure that they are being properly managed, invested and/or otherwise protected;
  9. Receiving and reviewing the reports of the CEO, Committees of the Board and task forces;
  10. Approving the selection of independent auditors;
  11. Encouraging a culture of ethical behavior and compliance throughout the Corporation; and
  12. Achieving as much transparency in the operations of the Corporation as is reasonable and keeping the stakeholders in the Corporation informed about the business and operations of the Corporation.
- F. Standing Committees. The Board may seek assistance and guidance from the standing committees of the Board. The Board shall remain ultimately accountable for the responsibilities of the committees.
- G. Diversity. The Board shall develop and implement a policy of diversity at all levels of the Corporation, supported by meaningful efforts to accomplish that diversity.
- H. General Qualifications. Each Director shall possess the following general qualifications in addition to meeting the Minimum Criteria described in Article 5.02 I.
1. Be a citizen of the United States; and not be affiliated with any national volleyball federation other than USA Volleyball.
  2. Be at least eighteen (18) years of age.
  3. Be judged qualified and appropriate for the particular Board position based on but not necessarily limited to:
    - a. Possessing good character; and
    - b. Possessing appropriate communication and interpersonal skills.
  4. Be committed to the principles and policies of the Corporation and serving the best interests of the Corporation and the sport regardless of the constituency which (s)elects the Board member.
  5. Be committed to serving the best interests of the Corporation and the sport regardless of the constituency which (s)elects the Board Member.
  6. Be committed to the principles of the Corporation.
  7. Be willing to adhere to Corporation policies.
  8. Possess strong communication and interpersonal skills.
- I. Selection, Minimum Criteria and Terms. It is strongly recommended that consideration of gender, race and ethnic diversity in accordance with these Bylaws and is represented in at least one of the nominees for each position. The composition of the Board shall be as follows:
1. Four Athlete Directors, each with one vote. One shall be female from the indoor discipline; one shall be male from the indoor discipline; one shall be female from the beach discipline; and one shall be male from the beach discipline.
    - a. Selection: Nominees shall be solicited broadly by the Nomin-

- ating and Governance Committee (“NGC”) with self-nomination encouraged. Reasonable effort will be made to identify a minimum of two nominees for each available Board position. The NGC will evaluate the nominees against both the General and the Minimum Criteria taking the opportunity to solicit additional information from the nominee or others as useful and determine whether the nomination shall go forward or not. In the event a nominee was judged by the NGC to fail to meet the criteria, the nominee shall have the right to request and receive the rationale. International indoor athletes will elect the Indoor Athletic Directors (1 female and 1 male) and international beach athletes will elect the Beach Athlete Directors (1 female and 1 male). The determination of whether an athlete is voting as an “indoor eligible athlete” or “beach eligible athlete” will be established by that athlete’s last qualifying competition.
- b. Minimum Criteria: In order to be eligible to run and/or vote for Athlete Director positions, athletes must be international athletes as defined in these Bylaws.
  - c. Term: All terms shall be four (4) years. Each Athlete Director shall be elected by no later than June 30 according to the following schedule:
    - i) Indoor - Male (1st complete calendar year of the Quadrennium);
    - ii) Beach - Female (2nd complete calendar year of the Quadrennium);
    - iii) Indoor - Female (3rd complete calendar year of the Quadrennium); and
    - iv) Beach - Male (4th complete calendar year of the Quadrennium).
2. Three Independent Directors, each with one vote.
    - a. Selection: Nominees shall be solicited broadly by the NGC with self-nomination encouraged. Reasonable effort will be made to identify a minimum of two (2) nominees for each available Board position. The NGC will evaluate the nominees against both the General and the Minimum Criteria, taking the opportunity to solicit additional information from the nominee or others as useful and determine whether the nomination shall go forward or not. In the event a nominee was judged by the NGC to fail to meet the criteria, the nominee shall have the right to request and receive the rationale. The NGC shall select the Independent Directors, using whatever process the NGC determines to be appropriate, from among nominated individuals meeting the criteria.
    - b. Minimum Criteria: An Independent Director will be determined to have no material relationship with the Corporation for a minimum of at least the past two years and shall meet the other criteria of independence as specified in Article 5.10. Successful candidates should be capable of contributing to advancing the best interests of the Corporation and the sport and bring special skills or associations to the Board. Election to the Corporation’s Board of Directors does not invalidate Independent Director status for subsequent service on the Board.
    - c. Term: All terms shall be four years. Each Independent Director

- shall be elected by no later than June 30 according to the following schedule:
- i) Independent Director (1st complete calendar year of the Quadrennium);
  - ii) Independent Director (2nd complete calendar year of the Quadrennium); and
  - iii) Independent Director (3rd complete year of the Quadrennium).
3. Two RVA Directors, each with one vote.
- a. Selection: The NGC shall accept from the RVA Assembly a required minimum of two (2) nominees for each available Board position with self-nomination also encouraged. A self-nomination received by the NGC shall be submitted to the RVA Assembly for inclusion in the RVA process for submitting its slate of candidates to the NGC. The NGC will evaluate the nominees against both the General and the Minimum Criteria, taking the opportunity to solicit additional information from the nominee or others as useful and determine whether the nomination shall go forward or not. In the event a nominee was judged by the NGC to fail to meet the criteria, the nominee shall have the right to request and receive the rationale. The NGC shall forward the final slate of qualified nominees to the RVA Assembly to conduct the election(s) to fill each Board position.
  - b. Minimum Criteria: A candidate representing the RVAs should meet or exceed the following criteria:
    - i) Recent leadership role within an RVA (current or previous role as a Commissioner not required).
    - ii) Member in good standing with an RVA.
    - iii) Demonstrated significant involvement at the Regional and National levels with a broad spectrum of experience in the sport.
  - c. Term: All terms shall be four years. Each RVA Director shall be elected by no later than June 30 according to the following schedule:
    - i) RVA Director (2nd complete calendar year of the Quadrennium);
    - ii) RVA Director (4th complete calendar year of the Quadrennium).
4. One Indoor High Performance Director, with one vote.
- a. Selection: The NGC shall accept a nominee or preferably nominees from the Corporation-recognized high performance organization (currently the National Collegiate Athletic Association (“NCAA”)) with self-nomination also encouraged. A self-nomination received by the NGC shall be submitted to the NCAA for inclusion in the NCAA process for submitting its slate of candidates to the NGC. The NGC will evaluate the nominees against both the General and Minimum Criteria, taking the opportunity to solicit additional information from the nominee or others as useful and determine whether the nomination shall go forward or not. In the event a nominee was judged by the NGC to fail to meet the criteria, the nominee shall have the right to request and receive the rationale. The NGC shall forward the final slate of nominees to the NCAA to select the Board position.

- b. Minimum Criteria: A candidate representing Indoor High Performance should meet or exceed the following criteria:
    - i) Recent leadership role with a collegiate institution (e.g. athletic director, conference/college administrator, senior staff), committee, program or activity (volleyball-specific experience preferred but not required).
    - ii) Appropriate experience (e.g. international representation, high performance program management and/or development) to adequately represent indoor volleyball high performance programs and development.
    - iii) Demonstrate a significant degree of involvement with a broad spectrum of sport administration, programming or development (volleyball experience preferred but not required).
  - c. Term: The term shall be four years with the election occurring by no later than June 30 of the 1st complete calendar year of the Quadrennium.
5. One Junior Indoor Director, with one vote.
- a. Selection: The NGC shall accept from the Junior Assembly of USA Volleyball (“Junior Assembly”) a required minimum of 2 nominees for the available Board position with self-nomination also encouraged. A self-nomination received by the NGC shall be submitted to the Junior Assembly for inclusion in the Junior Assembly process for submitting its slate of candidates to the NGC. The NGC will evaluate the nominees against both the General and the Minimum Criteria, taking the opportunity to solicit additional information from the nominee or others as useful and determine whether the nomination shall go forward or not. In the event a nominee was judged by the NGC to fail to meet the criteria, the nominee shall have the right to request and receive the rationale. The NGC shall forward the final slate of qualified nominees to the Junior Assembly to conduct the election(s) to fill the Board position.
  - b. Minimum Criteria: A candidate representing Junior Indoor volleyball should meet or exceed the following criteria:
    - i) Appropriate experience with junior volleyball.
    - ii) A broad spectrum of junior indoor volleyball experience such as junior club director, junior coach, junior event programming, etc.
  - c. Term: The term shall be four years with the election occurring no later than June 30 of the 2nd complete calendar year of the Quadrennium:
6. One Beach At-Large Director, with one vote.
- a. Selection: The NGC shall accept from the Beach Assembly of USA Volleyball (“Beach Assembly”) a required minimum of 2 nominees for the available Board position with self-nomination also encouraged. A self-nomination received by the NGC shall be submitted to the Beach Assembly for inclusion in the Beach Assembly process for submitting its slate of candidates to the NGC. The NGC will evaluate the nominees against both the General and the Minimum Criteria, taking the opportunity to



- solicit additional information from the nominee or others as useful and determine whether the nomination shall go forward or not. In the event a nominee was judged by the NGC to fail to meet the criteria, the nominee shall have the right to request and receive the rationale. The NGC shall forward the final slate of qualified nominees to the Beach Assembly to elect the Board position.
- b. Minimum Criteria: A candidate representing Beach Programs should meet or exceed the following criteria:
    - i) Appropriate experience (e.g., representation of the discipline of beach volleyball as athlete, coach or administrator; beach high performance program management and/or development).
    - ii) Demonstrate a significant degree of involvement domestically in beach volleyball sport administration, programming or development.
  - c. Term: July 1, 2011-June 30, 2015.
7. One Beach Development Director, with one vote.
- a. Selection: The NGC shall accept from the Beach Assembly a required minimum of 2 nominees for the available Board position with self-nomination also encouraged. A self-nomination received by the NGC shall be submitted to the Beach Assembly for inclusion in the Beach Assembly process for submitting its slate of candidates to the NGC. The NGC will evaluate the nominees against both the General and the Minimum Criteria, taking the opportunity to solicit additional information from the nominee or others as useful and determine whether the nomination shall go forward or not. In the event a nominee was judged by the NGC to fail to meet the criteria, the nominee shall have the right to request and receive the rationale. The NGC shall forward the final slate of qualified nominees to the Beach Assembly to elect the Board position.
  - b. Minimum Criteria: A candidate representing Beach Development should meet or exceed the following criteria:
    - i) Recent leadership role within the beach development community.
    - ii) Significant involvement with a broad spectrum of developmental beach programming, coaching or beach event operation.
  - c. Term: The term shall be four years with the election occurring by no later than June 30 of the 4th complete calendar year of the Quadrennium.
8. One Coach Director, with one vote.
- a. Selection: The NGC shall accept a nominee or preferably nominees from the Corporation-recognized national coaching organization (currently the American Volleyball Coaches Association (“AVCA”)) with self-nomination also encouraged. A self-nomination received by the NGC shall be submitted to the AVCA for inclusion in the AVCA process for submitting its slate of candidates to the NGC. The NGC will evaluate the nominees against

- both the General and the Minimum Criteria, taking the opportunity to solicit additional information from the nominee or others as useful and determine whether the nomination shall go forward or not. In the event a nominee was judged by the NGC to fail to meet the criteria, the nominee shall have the right to request and receive the rationale. The NGC shall forward the final slate of nominees to the AVCA to select the Board position.
- b. Minimum Criteria: A candidate representing volleyball Coaches should meet or exceed the following criteria:
    - i) Recent leadership role in the volleyball coaching profession, coaching administration, coach development and/or volleyball coach training and education.
    - ii) Experience with international volleyball coaching and/or high performance development is preferred.
  - c. Term: The term shall be four years with the election occurring by no later than June 30 of the 1st complete calendar year of the Quadrennium.
9. One Officials' Director, with one vote.
- a. Selection: The NGC shall accept from the Officials Assembly of USA Volleyball ("Officials Assembly") a required minimum of two (2) nominees for the available Board position with self-nomination also encouraged. A self-nomination received by the NGC shall be submitted to the Officials Assembly for inclusion in the Officials Assembly process for submitting its slate of candidates to the NGC. The NGC will evaluate the nominees against both the General and the Minimum Criteria, taking the opportunity to solicit additional information from the nominee or others as useful and determine whether the nomination shall go forward or not. In the event a nominee was judged by the NGC to fail to meet the criteria, the nominee shall have the right to request and receive the rationale. The NGC shall forward the final slate of qualified nominees to the Officials Assembly to conduct the election.
  - b. Minimum Criteria: A candidate representing volleyball Officials should meet or exceed the following criteria:
    - i) Recent leadership role with an established officials' organization.
    - ii) Member in good standing with an officials' organization.
    - iii) Demonstrate a significant degree of involvement with a broad spectrum of officiating programming.
    - iv) International, national and/or state championship level officiating experience preferred.
  - c. Term: The term shall be four years with election occurring by no later than June 30 of the 3rd complete calendar year of the Quadrennium.

#### 5.03 Meetings of the Board of Directors.

- A. Regular Meetings: There shall be a minimum of three (3) regular, face-to-face meetings of the Board annually. One meeting shall be held in conjunction with the Annual Meeting of the Corporation at the site of one of the USA Volleyball Championships. Regular meetings of the

Board shall be held in person at the time and place determined by the Board in accordance with Article 5.04. The Board may hold additional regular meetings. The Board shall hold at least one executive session during regularly scheduled Board meetings each year during which the CEO shall not be present and at which the members of the Board shall discuss issues including, but not limited to, the performance of the Corporation and the CEO.

- B. **Special Meetings:** Special meetings of the Board may be called by the Chair of the Board or by the written request of any five (5) Directors. The Chair will select an appropriate time and place for a special meeting in accordance with Article 5.04.
- C. **Meetings by Telephone and Transacting Business by Other Means:** Members of the Board or any committee thereof may participate in a meeting of the Board or committee by teleconference or other means by which all persons participating in the meeting can hear each other. Such participation shall constitute presence in person at the meeting for purposes of a quorum and voting, but not for purposes of the attendance requirement in Article 5.07 of these Bylaws. The Board shall have the power to transact its business by mail, electronic-mail, telephone, or facsimile, if in the judgment of the Chair the urgency of the case requires such action; but if Directors holding one-third (1/3) of the voting power of the Board indicate their unwillingness to decide such a matter in such manner, the Chair must call a special meeting of the Board to determine the question at issue.
- D. **Action Without a Meeting:** Any action which may be taken at any regular or special meeting of the Board may be taken, upon notice to the entire Board, but without a meeting if two-thirds (2/3) of the voting members of the Board cast ballots in writing or electronically. A majority of the votes cast shall determine the action of the Board. The results of such action shall be filed with the minutes of the proceedings of the Board.
- E. **Agenda:** The agenda for a meeting of the Board shall be set by the Chair of the Board, after consultation with the CEO. Any Board member and the Chairs of the Board Committees may request that items be placed on the Board's agenda.
- F. **Presumption of Assent:** A Director of the Corporation who is present at a meeting of the Board at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless such Director's dissent or abstention shall be entered in the minutes of the meeting or unless the Director shall file a written dissent to such action with the person acting as the Secretary of the Corporation before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the Corporation immediately after the adjournment of the meeting. Such right to dissent shall not apply to a Director who voted in favor of such action.
- G. **Effectiveness of Actions:** Actions taken by the Board shall become effective immediately following the adjournment of the meeting, except as otherwise provided in the Bylaws or when a definite effective date is recited in the record of the action taken.
- H. **Questions of Order and Board Meeting Leadership:** Questions of order

shall be decided by the Chair of the Board in accordance with *Robert's Rules of Order, Newly Revised*. The Chair of the Board shall lead meetings of the Board. If the Chair is absent from any meeting of the Board, then the Chair shall designate in writing in advance one other member of the Board to preside. If the Chair is unable to make or has not made such a designation, the Board may choose another member of the Board to serve as presiding officer for that meeting. The Chair may appoint a Parliamentarian, who shall interpret such rules of order.

#### **5.04 Notice of Meetings of Board of Directors.**

- A. Notice of any meeting of the Board shall be given to the entire Board by the Chair of the Board or by the Chair's designee. Notice of each regular meeting of the Board, stating the place, day and hour of the meeting, along with the agenda and any supporting materials, shall be given to each Director at the Director's business address (or such other address provided by the Director for such purpose) at least thirty (30) days before the time designated for the meeting. If mailed, such notice shall be deemed to be given when deposited in the United States mail, with postage thereon prepaid. If transmitted by facsimile or electronic transmission, such notice shall be deemed to be given when the transmission is received. The transactions of any meeting of the Board, however called and noticed or wherever held, shall be as valid as though there had been a meeting duly held after regular call and notice if a quorum is present and if, either before or after the meeting, each of the Directors not present signs a written waiver of notice, a consent to holding the meeting or an approval of the minutes thereof. Any Director may waive notice of any meeting before, at or after such meeting. The attendance of a Director at a meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any meeting of the Board need be specified in the notice or waiver of notice of such meeting unless otherwise required by statute. All such waivers, consents or approvals shall be filed with the corporate records or made a part of the meeting.

#### **5.05 Quorum.**

- A. A simple majority of the total voting power of the Board shall constitute a quorum for the transaction of business at any meeting of the Board, and the vote of a majority of those voting shall be the act of the Board unless otherwise specified that more than a majority is required for certain actions of the Board. Exceptions to the majority of quorum requirement:
1. Any action which may be taken at any regular or special meeting of the Board may be taken without a meeting if two-thirds (2/3) of the voting members of the Board of Directors cast ballots in writing or electronically. (Refer to Article 5.03 D)
  2. Any motion before the Board which would seek to prevent the Corporation from participating in the Olympic Games, or which

would not allow the team representing the United States to participate in the Olympic Games, or any motion having the same effect as the above, shall require that at least three-fourths (3/4) of the voting power of the Board vote in favor of such a motion. (Refer to Article 5.06)

3. Directors may also be removed for cause at any duly noticed meeting of the Board, and after being provided an opportunity for the Board member to be heard by the Board, upon the affirmative vote of at least two-thirds (2/3) of the total voting power of the Board (excluding the voting power of the Director in question). (Refer to Article 5.07 B)
  4. The Chair may be removed at any time by the affirmative vote of three-quarters (3/4) of the total voting power of the Board (excluding the voting power of the Treasurer, if any). (Refer to Article 6.02 A 1)
  5. The Treasurer may be removed at any time for cause by the affirmative vote of two-thirds (2/3) of the total voting power of the Board (excluding the voting power of the Treasurer, if any). (Refer to Article 6.06 B)
  6. The Treasurer may be removed at any time not for cause by the affirmative vote of not less than three-fourths (3/4) of the voting power of the Board (excluding the voting power of the Treasurer, if any). (Refer to Article 6.06 B)
  7. The CEO shall be employed by the Board for whatever term the Board deems appropriate and may be removed at any time for or not for cause by a two-thirds (2/3) majority of the Board without prejudice to the CEO's contract rights, if any, and the contract of employment between the Corporation and the CEO, if any, shall provide that the CEO's employment may be terminated by the Board for cause or not for cause. (Refer to Article 12.01)
  8. Bylaws may be adopted, amended or repealed by the Board of Directors by a two-thirds (2/3) majority of those Directors casting ballots at a legally constituted meeting. (Refer to Article 17.02)
- B. If less than a quorum is present at a meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice other than an announcement at the meeting, until a quorum shall be present.
- C. No Director may vote or act by proxy at any meeting of Directors.

**5.06 Olympic Games Participation.** Any motion before the Board which would seek to prevent the Corporation from participating in the Olympic Games, or which would not allow the team representing the United States to participate in the Olympic Games, or any motion having the same effect as the above, shall require that at least three-fourths (3/4) of the voting power of the Board vote in favor of such a motion.

**5.07 Attendance and Removal of Directors.**

- A. The Board may declare vacant the office of a Director who has been declared of unsound mind by a final order of a court, or who has been convicted of a felony or for non-attendance at meetings of the Board.

The following criteria shall be utilized to determine whether a Director shall be considered for removal for non-attendance at Board meetings:

1. Less than eighty per cent (80%) verified attendance at all sessions of two consecutive meetings of the Board of Directors.
  2. Two consecutive absences from meetings without the approval of the Chair whether or not a new term of office as a Director is being assumed.
  3. Three total absences during a three-year period.
- B. Directors shall be removed by the Board unless they are able to demonstrate to the other members of the Board that the presence of exigent circumstances caused and excused the absences. In such circumstances, the absent Director can be removed by a vote of the majority of the voting power of the Board (not including the voting power of the absent Director). Directors may also be removed for cause at any duly noticed meeting of the Board, and after being provided an opportunity for the Board member to be heard by the Board, upon the affirmative vote of at least two-thirds (2/3) of the total voting power of the Board (excluding the voting power of the Director in question).

**5.08 Filling Vacancies in the Board of Directors.** A Director's position on the Board may be declared vacant upon his or her resignation, removal, incapacity, disability or death. Any Director may resign at any time by giving written notice to the Secretary of the Corporation. Such resignation shall take effect at the time specified therein, and unless contingently stated, the acceptance of such resignation shall not be necessary to make it effective. Any vacancy occurring in the Board shall be filled as set forth for the (s)election of that member of the Board. A Director (s)electd to fill a vacancy shall serve for the unexpired term of such Director's predecessor in office.

**5.09 Compensation of Directors.**

- A. Compensation: Directors shall not receive compensation for their services as a Director. Reasonable expenses of Directors may be paid or reimbursed in accordance with the policies of the Corporation. Directors may be compensated for other services if such compensation is approved by the Ethics and Eligibility Committee or falls within Board policies.
- B. Employees of the Corporation are not eligible to serve as Directors. (Refer to Article 5.01 D of these Bylaws.)

**5.10 Independence.**

- A. A Director will not be considered an "Independent Director" for purposes of Article 5.02 I 2 if, at any time during the two years preceding commencement of or during his or her term or position as a Director:
1. The Director or an immediate family member was employed by or held any paid position or any volunteer governance position with the Corporation;
  2. The Director or an immediate family member was affiliated with or employed by the Corporation's outside auditor or outside counsel.
- B. A Director will not be considered independent if at any time during the

two years preceding commencement of or during his or her term or position as a Director the Director receives any compensation from the Corporation, directly or indirectly. For purposes of this rule, compensation does not include reimbursement of expenses in accordance with corporate policy.

- C. A Director will not be considered independent if at any time during the two years preceding commencement of or during his or her term or position as a Director the Director is an officer, member of senior management, controlling shareholder, or partner of a corporation or partnership or other business entity that does business with the Corporation.
- D. The definition of independence will extend to cover requirements for “independence” on Board committees.
- E. When the guidelines in Article 5.10 are unclear as to a person’s “independent status,” the matter shall be referred to the NGC for resolution.
- F. The NGC shall review at least annually the independence of “independent Directors” and others who are required by these Bylaws to be independent.
- G. Nomination or election to the Board of Directors does not compromise an individual’s independent status for subsequent service on the Board as an Independent Director.

## **Article VI. OFFICERS**

### **6.01 Number**

The officers of the Corporation shall be the Chair of the Board, a Corporate Treasurer (the “Treasurer”) and a Corporate Secretary (the “Secretary”).

### **6.02 Chair of the Board**

- A. The Board shall elect its Chair from among its membership at the annual meeting of the Corporation in the Summer Olympic year. The Chair shall serve a term of four years and shall be eligible for re-election.
  - 1. The office shall be filled by a majority vote of the members of the Board who are present. The newly elected Chair assumes the position immediately and shall serve until the next Chair is duly elected or until his/her term as a Director expires. The Chair may be removed by a three-quarter (3/4) vote of the Board of Directors.
  - 2. If at any time the Chair either resigns or the office of Chair otherwise becomes vacant, the Board shall elect a new Chair from among the Directors to serve the balance of the term. The office shall be filled by a majority vote of the Directors present at a properly called meeting of the Board.
- B. The Chair shall set meetings and meeting agendas for the Board, preside at all meetings of the Board, and shall see that all Board commitments, resolutions, and oversight are carried into effect. The Chair shall perform such other duties as may be assigned by the Board.
- C. The chair, on behalf of the Board, shall serve as the immediate super-

visor of the CEO.

- D. The Chair shall appoint the Recording Secretary with the approval of the Board. Employees of the Corporation are not eligible to serve in this position. The primary duty of the Recording Secretary will be to record and distribute for approval the minutes of all Board meetings. This person is eligible for compensation for their services at a rate commensurate with comparable services. The Recording Secretary is not considered an assistant secretary.

### 6.03 **Treasurer**

- A. The Treasurer shall be elected from a pool of candidates that may or may not include Board members. Employees of the Corporation are not eligible to serve as Treasurer.
- B. The initial Treasurer shall be elected by the members of the currently-seated Board to serve for a term to end at the conclusion of the 2012 Summer Olympic Games. Subsequent to the initial term the Treasurer shall be elected by the re-structured Board at the last scheduled meeting prior to the conclusion of the 2012 Summer Olympic Games for a term to be set by the Board prior to that meeting. The new Board shall determine the manner of selecting the pool of candidates.
- C. The Treasurer shall hold office until his/her successor's term begins.
- D. If the Treasurer office becomes vacant, the office shall be filled by a majority vote of the members of the Board who are present at a properly called meeting of the Board.

### 6.04 **Secretary**

- A. The Corporate Secretary shall be the Corporation's general counsel or another appropriate employee of the Corporation recommended by the CEO and approved by the Board.
- B. The Corporation employee's term as Secretary shall end automatically when his or her employment by the Corporation ends.

### 6.05 **Vacancies**

- A. The Treasurer or the Secretary may resign at any time from his or her position as an officer of the Corporation by giving written notice to the Chair of the Board or the CEO as appropriate and the other members of the Board.
- B. A vacancy in the office of Treasurer, however occurring, shall be filled by the Board for the unexpired portion of the term.
- C. A vacancy in the office of Secretary, however occurring, shall be filled as soon as possible by the CEO.
- D. An officer's resignation shall take effect at the time specified in such notice, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. An officer shall be deemed to have resigned in the event of such officer's incapacity as determined by a court of competent jurisdiction.

### 6.06 **Authority and Duties of Officers**

- A. The officers of the Corporation shall perform the duties specified below or assigned by the Board or the CEO as appropriate. The Secretary



shall have no vote on the Board and voice only when recognized by the Chair. Unless otherwise a voting Director, the Treasurer shall have no vote on the Board and voice only when recognized by the Chair.

- B. Treasurer: The Treasurer, or designee, shall be responsible for keeping the accounting records of the Corporation. At the request of the Chair or of the Board, the Treasurer, or designee, shall prepare and submit to the Board statements of the financial condition of the Corporation, including any investment portfolio. Periodically, the Treasurer shall review the budget to ensure compliance with requirements for specified approval of expenditures and financial policy. The Treasurer shall perform such other duties, as assigned by the Board. The Treasurer may be removed at any time for cause by the affirmative vote of two-thirds (2/3) of the total voting power of the Board (excluding the voting power of the Treasurer, if any). The Treasurer may be removed at any time not for cause by the affirmative vote of not less than three-fourths (3/4) of the voting power of the Board (excluding the voting power of the Treasurer, if any).
- C. Secretary: The Secretary shall, or cause another to; (a) see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; (b) be custodian of the corporate records and of the seal of the Corporation; and (c) in general, perform all duties incident to the office of Secretary and such other duties as may be assigned to the Secretary by the CEO or by the Board. Assistant secretaries are appointed by and supervised by the Secretary. The Secretary shall ensure that the minutes of the standing committees of the Board are duly recorded, filed and retained by the Corporation.
- D. No person may serve simultaneously as an officer of the Corporation and concurrently as an officer of another Olympic or Pan American Sport Organization (NGB).
- E. All officers, Directors, and employees handling funds in excess of an amount determined by the Board shall be sufficiently bonded or insured. The expense of furnishing such bonds or insurance shall be paid by the Corporation only through the duration of corporate service.

## **Article VII. STANDING COMMITTEES OF THE BOARD**

### **7.01 Authority**

- A. The Corporation shall have the following standing committees of the Board: Audit, Finance and Budget; Ethics and Eligibility; and Nominating and Governance. By one or more resolutions adopted by a majority of the Directors, the Board or the CEO may designate one or more additional committees or task forces, each of which, to the extent provided in the resolution establishing such committee, shall have and may exercise all of the authority of the Board or the CEO, respectively, as is delegated to it by the Board or CEO respectively, except as prohibited by statute. The delegation of authority to any committee shall not operate to relieve the Board, any member of the Board, or the CEO from any responsibility imposed by law or by these Bylaws. Rules governing procedures for meetings of any committee of the Board shall be as estab-

lished by the Board or, in the absence thereof, by the committee itself. Rules governing procedures for meetings of any committee established by the CEO shall be as established by the CEO. All committees of the Board shall include at least twenty percent (20%) international athletes as defined in the Corporation's Bylaws. Committee agendas will be developed by the Committee Chair in consultation with the appropriate members of Corporation management and with the input of the Board.

- B. Committee members will be expected to attend in person all regularly scheduled committee meetings. Participation by telephone will be permitted in extenuating circumstances.
- C. Each Committee Chair will make a written report on committee matters to the Board prior to each regular meeting of the Board.
- D. Each Board committee shall have the authority to delegate any of its responsibilities to a sub-committee or to an individual member of the committee as the Board committee may deem appropriate in its discretion, subject to review and oversight by the Board.
- E. Committee members shall deliberate, advocate and act for the overall good of the Corporation and the sport of volleyball.
- F. Unless otherwise specified, the term of service on all Committees of the Board shall be for the duration of the Quadrennium.

## 7.02 **Composition and Responsibilities**

- A. Audit, Finance and Budget Committee.
  - 1. The Audit, Finance and Budget Committee shall consist of five persons; one shall be an Independent Director on the Board with financial experience and one shall be the Treasurer. The other three committee members may or may not be Directors. The Audit, Finance and Budget Committee will periodically meet separately in executive session individually with management, Corporation financial staff, and the Corporation's outside auditor. In addition, the Audit, Finance and Budget Committee, or a designated representative of the Committee, will meet with the outside auditor prior to the release and filing of the Corporation's financial reports, to review such materials.
  - 2. The Board shall appoint the members of the Audit, Finance and Budget Committee and its chair.
  - 3. Among its responsibilities, the Audit, Finance and Budget Committee shall:
    - a. Assist senior management in the development, preparation and presentation of the annual budget of the Corporation;
    - b. Supervises the preparation, filing and posting of the Corporation's 990 tax reporting documents;
    - c. Conduct periodic reviews of the Corporation's financial statements to ensure that significant variances from budget do not occur;
    - d. Discuss with management and the independent auditor the annual audited financial statements including matters required to be reviewed under applicable legal, regulatory or other requirements;
    - e. Discuss with management and the independent auditor, as appropriate, Corporation financial information provided to the

- public;
- f. Recommend the independent auditor to examine the Corporation's accounts, controls and financial statements. The Audit, Finance and Budget Committee shall have the authority to evaluate and recommend the independent auditor for selection by the Board. The Audit, Finance and Budget Committee shall also have the authority to recommend to the Board that the independent auditor be replaced. The Audit, Finance and Budget Committee must pre-approve any non-audit service provided to the Corporation by the Corporation's independent auditor;
  - g. Discuss with management and the independent auditor, as appropriate, any audit problems or difficulties and management's response, and the Corporation's risk assessment and risk management policies, including the Corporation's major financial risk exposure and steps taken by management to monitor and mitigate such exposure;
  - h. Review the Corporation's financial reporting and accounting standards and principles, significant changes in such standards or principles or in their application and the key accounting decisions affecting the Corporation's financial statements, including alternatives to, and the rationale for, the decisions made;
  - i. Review and approve the internal audit staff function, including: (i) purpose, authority and organizational reporting lines; (ii) annual audit plan, budget and staffing; and (iii) concurrence in the appointment, and compensation of the Director of Internal Audit, if any;
  - j. Review, with the CEO, Chief Financial Officer, Director of Internal Audit, General Counsel, independent auditors, and/or others, as the committee deems appropriate, the Corporation's internal system of audit and financial controls and the results of internal and independent audits;
  - k. Be responsible for establishing procedures creating effective mechanisms for employees and others to make complaints relating to accounting practices, internal accounting controls, or audit matters, with provisions for confidential anonymous submission by employees and others. The Audit, Finance and Budget Committee shall have access to all complaints concerning the Corporation's finances and their disposition, and shall provide safeguards to prevent retaliation against employees and others who make such complaints;
  - l. Obtain and review at least annually a formal written report from the independent auditor delineating: the auditing firm's internal quality-control procedures; any material issues raised within the preceding five years by the auditing firm's internal quality-control reviews, by peer reviews of the firm, or by any governmental or other inquiry or investigation relating to any audit conducted by the firm. The Audit, Finance and Budget Committee will also review steps taken by the auditing firm to address any findings in any of the foregoing reviews. To assess auditor independence, the Audit, Finance and Budget Committee will review

- at least annually all relationships between the independent auditor and the Corporation;
- m. Prepare and publish an annual committee report in the Corporation's annual report;
  - n. Recommend policies for the hiring of employees or former employees of the Corporation's independent auditor; and
  - o. Engage in such other functions as are assigned to the Audit, Finance and Budget Committee by the Board.
  - p. Assist the Board in developing and evaluating potential candidates for the CEO position, and to oversee the development and review of executive succession plans;
  - q. Review and approve on an annual basis the CEO's compensation in light of the Board's expectations, goals, and objectives. Evaluate at least once a year the CEO's performance in light of these established goals and objectives and based upon these evaluations recommend to the Board the CEO's annual compensation, including salary, bonus, incentives, and any other compensation;
  - r. Review and approve on an annual basis the evaluation process and compensation structure for the Corporation's senior management using relevant benchmarks and survey data. Provide oversight of management's decisions concerning the performance and compensation of other Corporation employees, and the Corporation's policies concerning benefits, retirement plans and contributions thereto, relocation benefits, and all other forms of benefits offered to the Corporation's employees;
  - s. Review the Corporation's incentive compensation and other compensation plans and recommend changes to such plans to the Board as necessary; and
  - t. Operate according to current policy and procedures.
- B. Ethics and Eligibility Committee.
1. The Ethics and Eligibility Committee shall consist of five persons. Directors on the Board may or may not serve on the Ethics and Eligibility Committee. The Chair of the Board shall appoint the Chair of the Ethics and Eligibility Committee in the first year of the Quadrennium. In consultation with the Chair of the Ethics and Eligibility Committee, the Chair of the Board shall appoint the other four persons to serve on the Committee. Committee members shall be selected from a broad spectrum of volleyball constituencies to optimize objectivity, relevant experience, and diversity. At the discretion of the Chair of the Ethics and Eligibility Committee, a cadre of individuals may be selected to assist the Ethics and Eligibility Committee by serving on Incident Review Boards.
  2. Among its responsibilities, the Ethics and Eligibility Committee shall:
    - a. Develop, administer and oversee compliance with the USOC-approved Code of Ethics;
    - b. Adjudicate all allegations, complaints, penalties and appeals that are the direct responsibility of the Corporation. Member Organizations, teams, or individuals shall be entitled to due process when accused of violating ethics or eligibility policies or

procedures of the Corporation. (Note: Federations, Territories and other organizations which do not have membership in the Corporation and/or individuals who are not registered with the Corporation or with a RVA who violate Corporation procedures or policies relating to Corporation activities are not entitled to due process from the Corporation related to the privilege of future or continued participation in Corporation events.) An initial review of ethics or eligibility matters during Corporation due process may be conducted by telephone or other direct communication and does not necessarily imply a face-to-face meeting. Decisions of Corporation

Adjudicating Authorities shall be formalized in writing and forwarded to all affected parties by registered mail. To ensure timeliness and objectivity, the Chair of the Ethics and Eligibility Committee shall assemble an Incident Review Board of three persons from the Ethics and Eligibility Committee and/or the Cadre to consider ethics and eligibility incidents or appeals properly submitted to the Committee. The Ethics and Eligibility Committee Cadre may include any of the four members of the Committee other than the Chair.

- i. An Incident Review Board shall include at least one member of the Ethics and Eligibility Committee and one international athlete and shall take into consideration requirements for objectivity, independence, and availability. The actions of this group shall be limited to responding to specific incidents and in this limited role considered to be the actions of the entire Ethics and Eligibility Committee.
- ii. Any decision by the Ethics and Eligibility Committee that would otherwise result in the suspension or expulsion of a Member Organization shall be limited in form to a recommendation to the Board in accordance with Article 4.07 of these Bylaws;
- c. Review the ethics and compliance of staff functions, including:
  - (i) purpose, authority and organizational reporting lines;
  - (ii) annual ethics and compliance plan, budget and staffing; and
  - (iii) the appointment and compensation of the internal ethics and compliance staff head;
- d. Review, with the CEO, Chief Financial Officer, internal compliance staff head, General Counsel, or others, as the committee deems appropriate, the Corporation's system of ethics and compliance;
- e. Review and investigate any matters pertaining to the integrity of management, including conflicts of interest, or adherence to standards of business conduct as required in the policies of the Corporation. This should include regular reviews of the ethics and compliance processes in general and the corporate ethics and compliance education, disclosure, and reporting processes in particular. In connection with these reviews, the Ethics and Eligibility Committee will meet, as deemed appropriate, with the CEO, General Counsel, the ethics and compliance staff head, and others;

- f. Prepare and publish an annual committee report in the Corporation's annual report;
  - g. Recommend policies to the Board for the hiring of employees or former employees of the Corporation's Member Organizations, vendors/consultants, and other business partners; and
  - h. Administer the Corporation's Arbitrator program. The Chair of the Ethics and Eligibility Committee shall supervise and appoint all Event Arbitrators in consultation with the CEO, or designee. The Committee Chair shall be ineligible to serve as an Event Arbitrator.
3. The term for members of the Ethics and Eligibility Committee shall be for the Quadrennium.
- C. Nominating and Governance Committee
1. The Nominating and Governance Committee ("NGC") shall consist of seven members: one member of the currently seated NGC; one international beach athlete; one international indoor athlete; one RVA representative; one individual representing the beach volleyball discipline; one individual representing the indoor volleyball discipline; and one "independent" individual. NGC members shall meet the same General Qualifications for the Board of Directors as specified in Section 5.02 H of these Bylaws. The NGC shall select its own Chair from among its members for a two (2) year term.
- a. Term: All terms shall be four (4) years subsequent to the terms below:
    - i) 2013 - 2016 (1st complete calendar year of the Quadrennium);
      - a. NGC Representative
      - b. International Beach Athlete
      - c. RVA Representative
      - d. Indoor Discipline
    - ii) 2013 - 2016 (3rd complete calendar year of the Quadrennium);
      - a. International Indoor Athlete
      - b. Beach Discipline
      - c. Independent
  - b. Minimum Criteria:
    - i) NGC Representative: A member of the NGC eligible for a second term.
    - ii) International Beach Athlete Representative: A beach athlete meeting the definition of an international athlete as defined in these Bylaws.
    - iii) RVA Representative:
      - a. Recent leadership role within a RVA (current or previous role as a Commissioner not required).
      - b. Member in good standing with a RVA.
      - c. Demonstrated significant involvement at the Regional and National levels with a broad spectrum of experience in the sport.
    - iv) Indoor Discipline Representative: An individual with comprehensive experience with the indoor discipline on a national or international level.

- v) International Indoor Athlete Representative: An indoor athlete meeting the definition of an international athlete as defined in these Bylaws.
  - vi) Beach Discipline Representative: An individual with comprehensive experience with the beach discipline on a national or international level.
  - vii) Independent Representative: An individual who has had no material relationship with the Corporation for a minimum of at least the past two years and meets the other criteria of independence as specified in Article 5.10
- c. Election.
- i) NGC Representative: By a majority vote of the currently seated NGC members present and voting.
  - ii) International Beach Athlete Representative: By a majority vote of international beach athletes casting a ballot.
  - iii) RVA Representative: By a vote of the RVA Assembly in accordance with its Administrative Manual.
2. Term of Service: All positions on the NGC shall be elected by December 31 of the preceding year as specified in 1. a. above. NGC members are eligible to serve a maximum of two (2) consecutive terms. Any portion of a term shall be considered a full term. After an absence from the NGC of at least one (1) year, an individual shall regain eligibility to serve on the NGC.
  3. Vacant Positions: The appropriate constituent group shall appoint and/or elect a replacement to fill the vacant position within a sixty (60)-day period of the vacancy. In the event the vacant position is not filled by the constituent group within the sixty (60)-day period, the Chair of the NGC shall be responsible for appointing a person, meeting the criteria, to fill the vacant position for the remainder of the term.
  4. Board Eligibility: Members are not eligible to serve as a director of the Board while serving on the NGC. Upon leaving the NGC for any reason, an NGC member shall be ineligible to be a Board candidate for at least one (1) year.
  5. Diversity: The NGC shall be sensitive to the desirability of diversity consistent with Corporation policy.
  6. The responsibilities of the NGC shall be to:
    - a. Lead the search for individuals qualified to become Independent Directors of the Board and to select these Directors. The NGC shall seek out individuals to serve as Directors who shall have the highest personal and professional integrity, who shall have demonstrated exceptional ability and judgment, and who shall be most effective, in conjunction with the other members of the Board, in collectively serving the long-term interests of the Corporation;
    - b. Fulfill the responsibilities listed in Bylaws Article 5.02 I in respect to other director nominations and selections;
    - c. Report the final ballot of director nominees to the Board;
    - d. Review the Board's committee and commission structure and, when requested, recommend to the Board for its approval possible candidates to serve as members of each substructure. The NGC shall review and recommend slates annually and shall recommend addi-

- tional members to fill vacancies, as requested by the Board;
- e. Work with the Corporation's CEO to develop and implement an appropriate orientation program for new Directors and continuing education of existing Directors;
- f. Develop and recommend to the Board for its consideration a set of corporate governance guidelines. The NGC shall review the guidelines on an annual basis, or more frequently if appropriate, and recommend changes as necessary;
- g. Develop and recommend to the Board for its consideration an annual self-evaluation process of the Board and its substructures. The NGC shall oversee the annual self-evaluations; and
- h. Perform such other duties as assigned by the Board.

## **Article VIII. SUBSTRUCTURES**

### **8.01 Authority**

- A. The Board may establish, at its discretion, such other substructures as it deems necessary and vital for the conduct of the affairs of the Corporation and may, at its discretion, delegate to such substructures the authority of the Board. Employees of the Corporation may serve as ex-officio, non-voting members of substructures. (Refer to Article V, 5.01 D of these Bylaws.)
- B. To supplement these Bylaws, policies and procedures for each substructure shall be published as specified in the Corporation's Operating Code.
- C. Each substructure may adopt policies and procedures for its own operation consistent with these Bylaws and/or with policies and procedures approved by the CEO and adopted by the Board.
- D. Administrative Manuals shall be developed as detailed operating documents for each of the councils, assemblies and other entities that may be created from time to time by the Board of Directors. Administrative Manuals shall be reviewed and approved by the Board of Directors or designee. Responsibility for maintaining each Administrative Manual shall rest with the highest authority for that structure or substructure.
- E. As appropriate, a substructure may establish due process policies and procedures which shall be submitted to the Ethics and Eligibility Committee for approval.
- F. The length of term of all persons appointed to a substructure of the Corporation or whose appointments are approved by the Chair of the Board shall conclude no later than September 30 of the fourth year of the Quadrennium or at the conclusion of the Summer Olympic Games, whichever occurs later.
- G. Vacancies in the membership of any substructure may be filled by appointments made in the same manner as provided in the case of the original appointments.
- H. Quorum: Unless otherwise provided in the resolution of the Board designating a substructure, a majority of the whole substructure shall constitute a quorum. The majority of votes cast on any action item with a quorum present shall determine its disposition. Unless an exception is



granted by the Board, proxy or absentee voting shall not be permitted in the transaction of business by any substructure. As a rule, substructures will act by achieving consensus.

### **8.02 Councils, Assemblies, Commissions, Sub-Commissions**

Substructures determined to be critical to the operation of the Corporation shall be established. In consultation with the CEO, additional substructures may be established at the Board's discretion. The authority, accountability, mission, responsibilities and composition of commissions reporting to the CEO are listed in the Corporation's Operating Code. The following substructures are determined to be critical to the operation of the Corporation and shall be accountable to the CEO.

- A. USAV Administrative Council
  - 1. Composed of two (2) representatives from each of the following substructures: RVA Assembly, Junior Assembly, Beach Assembly, Officials Assembly and Member Relations Commission.
  - 2. Charged with:
    - a. Recommending staff action(s) in response to motions from the Assemblies or Member Relations Commission and monitoring the implementation of such recommendations.
    - b. Resolving differences in motions from the Assemblies and/or the Member Relations Commission that are in conflict.
- B. RVA Assembly
  - 1. Composed of one (1) representative from each RVA, usually the Commissioner.
  - 2. The RVA Assembly will elect the two (2) RVA representatives to the Board.
  - 3. Charged with:
    - a. Resolving inter-regional issues.
    - b. Addressing issues exclusively concerning the RVAs (e.g. insurance, compliance).
    - c. Reviewing primarily adult registrant and program issues from commissions, sub-commissions and other USAV entities.
  - 4. Motions go through the USAV Administrative Council to Staff.
- C. Junior Assembly
  - 1. Composed of two (2) representatives, each with a vote, from each Member Organization with functioning junior programs.
  - 2. The Junior Assembly will elect the one (1) Junior Indoor representative to the Board.
  - 3. Charged with:
    - a. Reviewing and addressing issues exclusively concerning junior registrants.
    - b. Reviewing primarily junior registrant and program issues from commissions, sub-commissions and other USAV entities.
  - 4. Motions go through the USAV Administrative Council to Staff.
- D. Beach Assembly
  - 1. Composed of representatives from Member Organizations with functioning beach volleyball programs, recognized Beach Event Organizers and recognized beach players.
  - 2. The Administrative Council of the Beach Assembly will elect two

- (2) representatives to the Board.
- 3. Charged with:
  - a. Reviewing and addressing issues exclusively concerning beach registrants and programs, both adult and junior.
  - b. Reviewing primarily beach registrant and program issues from commissions, sub-commissions and other USAV entities.
- 4. Motions go through the USAV Administrative Council to Staff.
- E. Officials Assembly
  - 1. Composed of representatives from each Member Organization with programs that train and/or certify officials. The voting members ("Delegates") shall consist of:
    - a. Two (2) persons from each Member Organization (Affiliated Organizations) with programs that train and/or certify officials;
    - b. One (1) additional person from Member Organizations with programs that train and/or certify beach officials; and
    - c. Officials Commission members, not otherwise eligible to vote.
  - 2. The Officials Assembly will elect the one (1) Officials' representative to the Board.
  - 3. Charged with:
    - a. Reviewing and addressing issues exclusively concerning officiating activities, both adult and junior.
    - b. Reviewing primarily officiating issues from commissions, sub-commissions and other USAV entities.
  - 4. Motions go through the USAV Administrative Council to Staff.
- F. Member Relations Commission (MRC)
  - 1. The Chair of the Board of Directors will appoint the Commission Chair in consultation with the CEO.
  - 2. Composed of qualified representatives from Affiliated Organizations appointed by the Commission Chair in consultation with the CEO.
  - 3. Charged with:
    - a. Coordinating, improving and facilitating relations with all Member Organizations.
    - b. Coordinating ideas and input for the USAV Congress.
  - 4. Motions go through the USAV Administrative Council to Staff.

## **Article IX. ATHLETE REPRESENTATION**

9.01 Athlete representatives shall equal at least 20% of the membership of the Board and at least 20% of the membership of all Corporation committees operating under the authority of the Board ("Designated Committees").

- A. For purposes of these Bylaws, "Designated Committees" shall mean the Audit, Finance and Budget Committee, the Ethics and Eligibility Committee, the Nominating and Governance Committee and committees which prepare, approve or implement programs in the areas of selection of Olympic, IPC and Pan American Games Team members, including athletes, coaches and administrators.
- B. Athlete representatives on the Board or those committees described in 9.01 4A of these Bylaws above shall be international athletes as defined in these Bylaws.

- C. Athlete representatives to the Board and those Committees of the Board as defined in Article VII shall be directly elected by athletes who meet the standards set forth in Article 8.8.2 of the USOC Bylaws.
- D. Pursuant to USOC requirements and in accordance with the procedures specified in the Corporation's Operating Code, a representative and an alternate representative (of the opposite gender) shall be elected to the USOC's Athletes' Advisory Council (AAC). The AAC representatives must meet the eligibility requirements of having represented the United States in Olympic Games, Pan American Games or an Operation Gold competition (as defined by the USOC) within the preceding ten (10) years as determined from the first AAC meeting of the Quadrennium. All of the athletes meeting the AAC eligibility requirements shall comprise the electorate.
  - 1. The AAC representative may serve for only two (2) terms of four (4) years each.
  - 2. If an otherwise eligible athlete is a paid employee of the Corporation or the USOC, such athlete is not eligible to stand for election as an AAC representative.
  - 3. The AAC representative, or the alternate representative, if not already a separately elected Athlete Director of the Board, shall attend the meetings of the Board in an ex-officio capacity.

## **Article X. ATHLETE RIGHTS**

10.01 No person representing the Corporation in any capacity may deny or threaten to deny any amateur athlete the opportunity to participate in the Olympic Games, the Pan American Games, the Paralympic Games, a World Championship competition, or other such protected competition as defined in Article 3.01 T of these Bylaws nor may any person, subsequent to such competition, censure, or otherwise penalize (1) any such athlete who participates in such competition, or (2) any organization which the athlete represents. The Corporation shall, by all reasonable means at its disposal, protect the right of an amateur athlete to participate if selected (or to attempt to qualify for selection to participate) as an athlete representing the United States in any of the aforesaid competitions.

10.02 Any amateur athlete who alleges that he/she has been denied by a Corporation representative a right established by Article 10.01, shall immediately inform the CEO, who shall cause an investigation to be made and steps to be taken to settle the controversy without delay. Without prejudice to any action that may be taken by the Corporation, if the controversy is not settled to the athlete's satisfaction, the athlete may submit to any regional office of the American Arbitration Association (AAA) for binding arbitration, a claim against such Corporation representative documenting the alleged denial as soon as is reasonably practicable, but not later than six (6) months after the date of denial. The athlete may submit the claim to the AAA simultaneously with the athlete's informing the CEO of the claim and the athlete does not have to wait for the CEO's investigation, but may pursue the claim immediately before the AAA. The AAA, however (upon request by the athlete in question), is authorized,

upon forty-eight (48) hours' notice to the parties concerned, and to the Corporation, to hear and decide the matter under such procedures as the AAA deems appropriate, if the AAA determines that it is necessary to expedite such arbitration to ensure a decision in time for the relevant competition.

10.03 In any arbitration brought pursuant to this Article involving selection of an athlete to participate in a protected competition, the athlete submitting the controversy to the AAA must include with the initial submission a list of all persons the athlete believes may be adversely affected by the arbitration. The Corporation must then promptly submit to the AAA a list of the persons it believes may be adversely affected by the arbitration, along with the relevant contact information for the persons identified by the Corporation and by the athlete. The arbitrator then shall promptly determine which additional persons must receive notice of the arbitration. The athlete then shall be responsible for providing appropriate notice to these persons. Any person so notified then shall have the option to participate in the arbitration as a party. However, all persons so notified shall be bound by the results of the arbitration regardless of their decision to participate.

10.04 No claim that has previously been adjudicated by the independent anti-doping organization designated by the USOC to conduct drug testing may be brought with the AAA under this Article.

10.05 Notwithstanding any other provision of this Article, the final decision of a referee during a competition regarding a field of play decision (a matter set forth in the rules of the competition to be within the discretion of the referee) shall not be reviewable by an arbitrator or the subject of a demand for arbitration unless the decision is (i) outside the referee's authority or (ii) the product of fraud, corruption, partiality or other misconduct of the referee. For purposes of this Article, the term "referee" shall include any individual with discretion to make field of play decisions.

10.06 Any amateur athlete who alleges that he/she has been denied (whether or not by the Corporation) an opportunity to compete in any international amateur athletic competition not protected in Article 3.01 T of these Bylaws shall immediately inform the CEO, who will consult with legal counsel to determine whether the situation appears to be of sufficient seriousness and relevance to the obligation or responsibilities of the Corporation to warrant action by the Corporation in support of the athlete's claim.

10.07 The rights granted to athletes in these Bylaws shall equally apply to any coach, trainer, manager, administrator, or other official seeking to participate in the conduct of any of the international amateur athletic competitions.

10.08 Whenever a complaint is filed with the Corporation pursuant to this Article, the CEO shall:

- A. Promptly notify the Chair of the Board and the USOC Athlete Ombudsman of the complaint by telephone;
- B. Provide the Chair of the Board and the USOC Athlete Ombudsman

- with a copy of the complaint; and
- C. Investigate the allegations of the complaint.

10.09 With respect to the complaints filed pursuant to Article 10.02 and 10.06, the CEO is specifically authorized, in circumstances as he/she may deem appropriate, to authorize legal action by the Corporation in support of the athlete. The CEO's decision whether or not to authorize or finance legal action in support of the athlete's claim shall not be construed as an opinion of the Corporation with respect to the merits of the athlete's claim.

10.10 With respect to complaints filed pursuant to Article 10.02 and 10.06, the CEO, within forty-eight (48) hours after the filing of the complaint, shall consult with the Corporation's legal counsel and determine whether the situation appears to be of sufficient seriousness and relevance to the obligation or responsibilities of the Corporation to warrant action by the Corporation in support of the athlete's claim. If the CEO determines that action by the Corporation appears to be warranted, the matter shall be referred to the Board within ninety-six (96) hours of the filing of the complaint, which shall decide the nature and extent of the action to be taken. In any event, the filing of all complaints under Article 10.02 and 10.06 shall be reported by the CEO to the Board. The report shall contain a brief statement of facts, the status of the investigation (if still ongoing), and any recommendations or final disposition of the matter.

10.11 The Board may authorize appropriate action pursuant to Article 10.02 and 10.06 above.

## **Article XI. NATIONAL TEAMS**

### **11.01 Tryouts and Team Selection.**

- A. No athlete shall be recommended for appointment to a protected competition unless the athlete has won the right thereto according to the approved method of selection for the particular discipline or event and has met the conditions specified in Article 11.01 C. of these Bylaws.
- B. Any tryouts organized directly or indirectly under authority of the Corporation shall be open only to athletes who are citizens of the United States at the time of selection and eligible under the protected competition's controlling rules of the IOC, FIVB, PASO, the IPC, or the Corporation for selection for membership on the National Team ("Team").
- C. Every athlete eligible to be selected to the Team and/or selected to the Team shall:
  - 1. Register with the Corporation or with one of the Corporation's RVAs;
  - 2. Sign, in unaltered form, the Corporation's Code of Conduct, which shall contain a dispute resolution clause;
  - 3. Sign, in unaltered form, the documents required by the controlling authority of a Team competition;
  - 4. Submit to a medical examination and sign the Corporation's Medical forms;
  - 5. Sign, in unaltered form, the Corporation's General Release; and
  - 6. Sign and/or provide any other document required by the

Corporation or the controlling authority of the event in which the Team participates.

#### 11.02 **Conduct of Team Personnel.**

- A. All members of the official Team delegation shall be subject to the jurisdiction of the Corporation and these Bylaws. They shall conduct themselves at all times and in all places as befits worthy representatives of the United States, and in conformity with the traditions of the Team competition.
- B. Competitors shall be under the strict supervision of their team leaders and coaching staff. They shall maintain strict training while under the supervision of these Corporation representatives. They shall also conform to any special training rules set up for their respective Teams by the coaching staff.
- C. Any competitor who uses an unauthorized device or unauthorized equipment, or who uses any prohibited substance or method, shall be subject to disciplinary action in accordance with the protocol applicable to the competition.
- D. Any person who participates in the violation of the rule in the preceding paragraph by encouragement or consent communicated to the competitor, or by furnishing any prohibited device, equipment, substance, or method, shall be subject to disciplinary action.
- E. Any member of the official Team delegation who violates the customs, travel or currency regulations of the country where the Team competition is held, or who assists a stowaway in obtaining unauthorized transportation with the Team or in violating the regulations of the controlling authority of the competition shall be liable for immediate dismissal from the Team.
- F. No member of the official Team delegation or other person subject to the jurisdiction of the Corporation shall engage in newspaper, magazine, radio or television work for remuneration during the interval between selection and return of the Team, or shall appear as a guest or participant on radio or television programs for remuneration, without the written permission of the CEO, or designee.

#### 11.03 **Team Leaders and Coaches.**

- A. The team leaders shall look after the interests and general welfare of the members of their team, including housing, food, transportation, uniforms, laundry and recreation. They shall also enforce the rules of discipline laid down by the Corporation and the coaching staff.
- B. The team leader shall represent the team in all administrative and business affairs during travel to and return from a Team competition. The coaches shall be primarily responsible for establishing the training program and practice schedule and for advising and coaching the team players in the techniques, tactics, and strategy of their competition. They shall also enforce the rules of discipline established by the Corporation and other team rules established by the coaching staff as approved by the Corporation.

## Article XII. CHIEF EXECUTIVE OFFICER

12.01 **The Chief Executive Officer (CEO).** There shall be a CEO of the Corporation, who shall report to the Board generally and to the Chair of the Board specifically. The CEO shall be employed by the Board for whatever term the Board deems appropriate and may be removed at any time for or not for cause by the affirmative vote of at least two-thirds (2/3) of the total voting power of the Board without prejudice to the CEO's contract rights, if any, and the contract of employment between the Corporation and the CEO, if any, shall provide that the CEO's employment may be terminated by the Board for cause or not for cause.

12.02 **Responsibilities.** Subject to the general direction and policies of the Board of Directors, the CEO shall either directly or by delegation, manage all staff functions; determine the size and compensation of professional staff; hire and terminate the professional staff in accordance with the Corporation's compensation policies and guidelines established by the Finance, Budget and Compensation Committee and/or the Board; develop a strategy for achieving the mission, goals and objectives of the Corporation in keeping with the policies of the Board; be responsible for resource generation and allocation; manage key international relationships and coordinate international activities of staff; act as the Corporation's spokesperson; prepare and submit quadrennial and annual budgets to the Board; oversee the activities of all committees and task forces the CEO appoints; and perform such other functions as usually pertain to the office of CEO. The CEO shall implement the policies established by the Board and report to the Board concerning the results achieved.

All official notices intended for the Corporation or its Board, or any of its committees or task forces, may be addressed in care of the CEO, who will be responsible for proper attention thereto.

The CEO shall keep, or cause to be kept, all records of the Corporation, including financial, administrative and historical data, and shall discharge such other duties as are assigned by the Chair and/or the Board of Directors.

The CEO shall devote his/her entire time and service to the affairs of the Corporation and shall not engage in any other profession or employment (other than reasonable appropriate membership in other organizations as approved by the Ethics Committee and the Corporation's Board). The CEO shall receive such salary and other benefits as shall be set forth in the CEO's contract of employment with the Corporation, if any.

12.03 **Contracts.** The CEO shall have the authority to enter into ordinary operational contracts, as well as to negotiate and execute on behalf of the Corporation any contract specifically authorized by the Chair and/or Board. Any proposed contract which exceeds and/or extends beyond four years shall require approval by the Chair and/or Board.

12.04 **Finances.** The CEO shall be the principal custodian of the funds and accounts of the Corporation and is responsible for the collection of revenues, the payment of expenses and the keeping of reliable accounting records which reasonably reflect the financial condition of the Corporation.

## Article XIII. ETHICS AND ELIGIBILITY PROCEDURES

The following procedures shall be utilized for all allegations, complaints, penalties and appeals that are the direct responsibility of the Corporation and which do not involve Corporation employees.

**13.01 Protected Competitions.** Decisions involving the opportunity of any amateur athlete, coach, trainer, manager, administrator, team or official to participate in a protected competition, as defined by these Bylaws, may be appealed in writing to the CEO of the Corporation, who shall perform such investigation and hold such hearings as may be appropriate or necessary. The decision of the CEO may be appealed in accordance with Section 9 of the USOC Bylaws.

**13.02 Complaints against the Corporation as the NGB.** For complaints or petitions concerning the recognition or activities of the Corporation as a national governing body as provided in Section 205 of Title II of PL 95-606, November 8, 1978, as amended by the Ted Stevens Olympic and Amateur Sports Act of 1998, Subsection 220529, not otherwise provided for in these Bylaws, the following procedures shall apply:

- A. Any such complaint or petition ("submission") shall be in writing and be signed. It shall be submitted to the CEO of the Corporation. Each submission shall contain the following:
  1. A detailed outline of the reasons for the complaint or petition;
  2. Contact information for all parties of interest;
  3. Supporting documentation and/or statements; and
  4. A clear statement of the relief, funds, change or other action sought.
- B. The CEO shall make a prompt determination whether the submission falls within the authority of another adjudicating authority of the Corporation. If yes, the CEO shall forward the submission to such other adjudicating authority with written notice to the submitting individual(s) or organization. If no, the CEO shall promptly review the submission and obtain other information, documentation and/or statements as appropriate for thorough consideration of the submission and relevant issues.
- C. As soon as reasonably possible, the CEO shall prepare, or cause to have prepared, a written decision which reports conclusions resulting from review of the submission, the reasons for such conclusions and any action(s) taken. Such action(s) may involve the following:
  1. Allocation of discretionary funds,
  2. Modified work assignments or responsibilities for professional staff,
  3. A request to the Finance, Budget and Compensation Committee to fund a task, project or activity,
  4. A motion to the Board of Directors for significant action such as amending a governance document,
  5. No action, or
  6. Such other action as might be deemed appropriate or necessary.

**13.03 Corporation Competitions, Events, Activities and Programs (Corporation Events).** Affiliated Member Organizations, teams or individu-



als shall be entitled to due process when accused of violating ethics or eligibility policies or procedures of the Corporation. (Note: National Federations, United States Territories with their own National Volleyball Federation and other organizations which are not Member Organizations of the Corporation and/or individuals who are not registered with the Corporation or one of its Member Organizations who violate Corporation procedures or policies relating to Corporation activities are not entitled to due process from the Corporation related to the privilege of future or continued participation in Corporation Events). An initial review of ethics or eligibility questions may be heard by telephone or other direct communication and does not necessarily imply a face-to-face meeting. Decisions of Adjudicating Authorities shall be formalized in writing and forwarded to all affected parties by registered mail or other hard-copy receipted manner of delivery.

**13.04 Corporation Events - Ethics and Eligibility Adjudicating Authorities.** The Corporation shall appoint or recognize the following Ethics and Eligibility Adjudicating Authorities.

- A. Regional Volleyball Associations of USA Volleyball. Each RVA shall provide Corporation-approved due process procedures to address alleged violations of ethics and eligibility policies or procedures relating to its activities or events. Each RVA has the authority to penalize its members for violations of its policies or procedures. After exhaustion of due process within an RVA, further appeal may be made to the Ethics and Eligibility Committee but only for a determination as to whether the appealing party received adequate due process from the RVA.
- B. The RVA Assembly may establish intermediate levels of due process between a final RVA decision and an appeal to the Ethics and Eligibility Committee.
- C. Corporation Event Arbitrators. The Chair of the Ethics and Eligibility Committee, in consultation with the CEO, or designee, shall appoint Event Arbitrators to adjudicate ethics and eligibility issues for individuals or teams registered to participate at Corporation Events. Event Arbitrators shall have authority and responsibilities as follows:
  - 1. Have authority to address issues of ethics and eligibility for a Corporation Event beginning with the first to occur of
    - (i) forty-eight (48) hours before the first match of the Event or
    - (ii) the arrival in the event city of the first non-resident individual or team participating in the Event.The authority of the Event Arbitrator shall cease upon the first to occur of
    - (i) twelve hours after the final match of the Event or
    - (ii) final departure of the Event Arbitrator from the host city.
  - 2. Have authority to impose penalties for up to the duration of the Event. Event Arbitrators may recommend a sanction which would continue beyond the term of the Event.
  - 3. Convey decisions immediately to affected parties with notice that such decisions may be appealed to the Event Ethics and Eligibility Appeals Committee appointed for the Event. Any recommendation

for a sanction beyond the term of the Event shall be communicated to the potentially affected parties and to the Event Ethics and Eligibility Appeals Committee (regardless of whether there is an appeal) for prompt hearing (with notice to the affected parties) to determine what action, if any, to be taken under Article 13.04 D below.

4. The Event Arbitrator shall file with the Chair, Ethics and Eligibility Committee and with the Corporation Events Department a written report of all decisions, actions taken, and notable incidents addressed by him or her or by the Event Ethics and Eligibility Appeals Committee. The Corporation Events Department shall forward separate incident reports to the relevant RVAs, Affiliated Volleyball Organizations, or Corporation substructures for their records and any further action necessary or appropriate under their policies and procedures.
  5. On rare occasions, there will be an allegation of a violation of Corporation ethics and eligibility policies at a Corporation event and the Event Arbitrator will have been unable to investigate fully or unable to issue a recommendation in time for appeal to the Event Ethics and Eligibility Appeals Committee. In such circumstances, the Chair of the Ethics and Eligibility Committee shall have discretion to assign for prompt post-event investigation and recommendation an Arbitrator who had been present at the event, a different Arbitrator (whether an Event, Commission, Division, or Member Organization Arbitrator), or another objective individual, excluding Corporation staff, familiar with Corporation due process and policies to act as Arbitrator.
    - a. If the assigned Arbitrator recommends a sanction (necessarily post-event), the recommendation automatically shall be forwarded to an Ethics and Eligibility Appeals Committee deemed relevant and practical by the Chair of the Ethics and Eligibility Appeals Committee (whether a re-assembled Event Ethics and Eligibility Appeals Committee or similar committee of a Commission, Division, or Member Organization) to serve in the same capacity as an Event Ethics and Eligibility Committee under Article 13.04 D hereof. If no such committee exists or can be assembled in timely fashion, the Ethics and Eligibility Committee shall serve as the Ethics and Eligibility Appeals Committee.
    - b. Any decision by the Ethics and Eligibility Appeals Committee to impose a post-event sanction shall be forwarded to the Ethics and Eligibility Committee under Article 13.04 E 1 hereof. If the Ethics and Eligibility Committee is the Ethics and Eligibility Appeals Committee for the matter, the committee decision may be appealed to the Board, which appeal shall be limited to a determination of whether the appealing party received due process.
- D. Event Ethics and Eligibility Appeals Committees. Ethics and Eligibility Appeals Committees shall consist of at least three (3) objective members, one (1) meeting the Corporation definition of a domestic athlete

and all twenty-one (21) years of age or older. Each Event Ethics and Eligibility Appeals Committee shall act on appeals of decisions by Event Arbitrators during the conduct of an Event, and, based on the record and any additional submissions, may confirm, extend, reduce or reject the decision or recommendation of the Event Arbitrator. Any decision by the Event Ethics and Eligibility Appeals Committee to recommend a sanction which would extend beyond an Event shall be communicated immediately to the Chair, Ethics and Eligibility Committee for prompt consideration (with notice to the affected parties) to determine what action, if any, to be taken.

- E. Ethics and Eligibility Committee. In addition to those responsibilities outlined in Article 7.02 B 2 of these Bylaws, the Ethics and Eligibility Committee shall have the following responsibilities:
1. Decide whether to confirm, extend, reduce or reject a sanction recommended by an Adjudicating Authority for a period beyond the sanctioning authority of the Adjudicating Authority. Such decision shall be based solely on the written record, any additional submissions of the potentially affected parties and the opportunity for due process at the lower level(s).
  2. Determine whether due process was provided to the affected parties with respect to appeals from sanctions imposed by lower Adjudicating Authorities. Note: If the Ethics and Eligibility Committee determines prior due process was insufficient, it shall remand the matter with explanation to the appropriate Adjudicating Authority for reconsideration. Except for
    - (i) a sanction of a RVA pertaining to activities or privileges of that RVA or
    - (ii) a matter in which there is a threat of physical or significant financial harm, as determined by the Ethics and Eligibility Committee, a finding of insufficient due process shall render a sanction ineffective until it has been properly reconsidered upon remand.
  3. Consider all other appeals of sanctions not covered above with the exception of appeals by full-time employees of the Corporation or other due process provided in these Bylaws. Unless there is an incident or alleged violation of Corporation policies or procedures for which the Ethics and Eligibility Committee becomes the initial level of review, any decision of the Committee shall be final and based only on the written record, any additional submissions of the potentially affected parties and the opportunity for due process provided by the prior Adjudicating Authorities.
  4. Address all other Corporation matters of ethics or eligibility not otherwise covered in these Bylaws.

For matters in which the Ethics and Eligibility Committee is the initial level of review, decisions of the Committee may be appealed to the Board, which appeal shall be limited to a determination of whether the appealing party received due process.

### 13.05 **Miscellaneous Provisions**

- A. Range of Sanctions. Sanctions may include warning, reprimand, probation, suspension of privileges in whole or in part, expulsion/disqualification or direction to repair, replace or reimburse. Subject to Article 13.04, only RVAs and/or the Ethics and Eligibility Committee have authority to impose sanctions effective beyond the then current season.
- B. Hearings. Hearings may be conducted in person, by telephone, by mail, by electronic mail or any other method reasonably appropriate for the situation and parties involved.

## **Article XIV. NATIONAL GOVERNING BODY/NATIONAL FEDERATION**

14.01 As the USOC-recognized National Governing Body (NGB) for the sport of volleyball (both indoor volleyball and beach volleyball disciplines) in the United States, the Corporation shall have the following authority and responsibility:

- A. Establish written procedures for the fair and objective selection of athletes, coaches, additional officials and team leaders for the Olympic, Pan American, Paralympic and ParaPan Games Teams, that after having been approved by the USOC, shall be disseminated as early as possible to the athletes, coaches, additional officials and team leaders;
- B. Select site(s) and date(s) to qualify for the Olympic, Pan American, Paralympic and ParaPan Games Teams if applicable;
- C. Nominate for approval of the USOC those coaches, team leaders and other team officials for the Olympic, Pan American, Paralympic and ParaPan Games Teams;
- D. Recommend a plan for training Olympic, Pan American, Paralympic and ParaPan Games Team members;
- E. Establish a sport development program;
- F. Formulate and implement budgets for development, team preparation, team selection, and sports liaison expenses;
- G. Recommend a program for the use of the USOC's Training Centers or establish and operate NGB Training Center(s);
- H. Nominate in writing persons for appointment to standing committees of the USOC and nominate in writing persons for appointment to FIVB committees;
- I. Prepare the plans for submission to the USOC in each of the following areas to service the Olympic, Pan American, Paralympic and ParaPan Teams:
  - 1. Apparel, supplies and equipment;
  - 2. Food and housing;
  - 3. Medical and training services;
  - 4. Tickets; and
  - 5. Transportation;
- J. Participate in FIVB activities and carry out required responsibilities;
- K. Disseminate information relating to volleyball to registrants.
- L. Cooperate with the USOC in preventing the unauthorized use of the names and trademarks of the USOC, or the word "Olympic" and its derivatives, as well as symbolic equivalents thereof, or the United States

- Olympic Emblem; and
- M. Comply with the procedures pertaining to drug testing and adjudication of related doping offenses of the independent anti-doping organization designated by the USOC and/or the FIVB to conduct drug testing.

## **Article XV. CORPORATE POWERS**

**15.01 General Statement.** The Corporation is responsible to its registrants, Member Organizations, the USOC, the FIVB and to the general public to ensure the name of the Corporation and the symbols associated with the Corporation are not used in such a manner as to be detrimental.

**15.02 Authority to Sanction (Approve) Amateur Athletic Competition.** Pursuant to Section 220523 of the Ted Stevens Olympic and Amateur Sports Act (Act), the Corporation is granted the authority to conduct amateur athletic competitions and establish procedures for determining eligibility standards for participation in competition except for Restricted Amateur Athletic Competitions (Section 220526 of the Act). Organizations or persons desiring to conduct an international athletic competition in the United States must obtain a sanction from the Corporation. The Corporation has granted RVAs the right to grant sanctions for domestic competitions within their geographic area on behalf of the Corporation. Organizations or persons desiring to conduct a Corporation-sanctioned amateur athletic competition in the United States must obtain a sanction from the RVA responsible for that geographic area where the competition occurs. The Corporation and/or the RVA may deny a request for sanction based on safety factors, lack of appropriate facilities, coaches and officials, date conflicts of overlapping events and other factors that it considers not in the best interests of the sport. The Corporation may deny a sanction granted by an RVA if national concerns outweigh regional interests. The Corporation has the final authority on all sanction requests.

**15.03 Olympic.** The Corporation, its registrants, teams, Member Organizations and their teams or individuals may not use for any purpose without the express written consent of the USOC, any words or symbols normally associated with the USOC, the International Olympic Committee or the Olympic Games.

**15.04 Corporate Name and Nomenclature.** No Member Organization or its teams or individuals may use for any purpose or in any other manner that tends to cause confusion, to cause mistake, to deceive or to falsely suggest a connection with the Corporation or any of its activities, without the express written consent of the Corporation:

- A. The name of the Corporation ("USA Volleyball"), the abbreviation "USAV" or any other abbreviation or acronym normally associated with or used to represent the name of the Corporation;
- B. The symbols and trademarks of the Corporation normally associated with or used to represent the Corporation or to identify with the Corporation.
- C. The title "USA Championships," "United States Championships," "United States National Championships" or the like in connection with a volleyball event.
- D. The title "National Team," or "United States National Team," or "USA

- Team," or "USA National Team" or the like when used in connection with volleyball;
- E. Or any other combination or simulation thereof.

### **Article XVI. EQUAL OPPORTUNITY**

16.01 The Corporation shall provide equal opportunity to amateur athletes, coaches, trainers, managers, administrators and officials to participate in all activities sponsored by the Corporation, without discrimination on the basis of color, religion, age, gender, national origin, sexual orientation, disability or handicap.

16.02 Grievances regarding violations of Article XVI, 16.01 shall be dealt with as specified in Article X or Article XIII as appropriate.

### **Article XVII. AMENDMENTS**

17.01 **Procedures for Submission.** Proposed additions, deletions or amendments to these Bylaws may be generated in the following ways:

- A. By any Member Organization, substructure or individual, provided such proposal is submitted in writing to the Corporation's CEO no later than sixty (60) days prior to the next meeting of the Board.
- B. At any time by a Director of the Board.

17.02 **Requirements for Action.**

- A. Proposed changes shall only be considered if notice is mailed or sent electronically to each member of the Board at least thirty (30) days prior to the voting deadline for the next meeting of the Board.
- B. A Bylaw may be adopted, amended or repealed by the Board by a two-thirds (2/3) majority of those casting ballots at a legally constituted meeting.
- C. Waiver of Requirement: By a two-thirds (2/3) majority of the total voting power of the Board at a legally constituted meeting action may be taken by the Board without thirty (30) days prior notice.

### **Article XVIII. OPERATING CODE**

The Board is authorized to adopt, and from time to time amend, an Operating Code, in accordance with and supplemental to these Bylaws, by which the Corporation shall be further governed.

If there is an actual or apparent discrepancy between the Operating Code and these Bylaws, these Bylaws shall prevail.

### **Article XIX. INDEMNIFICATION**

19.01 To the fullest extent permitted by law, the Corporation shall indemnify each of its present or former Directors, officers, employees or official representatives, or any person who is or was serving another corporation or other entity in any capacity at the request of the Corporation, against all expenses actually

and reasonably incurred by such person (including, but not limited to, judgments, costs and counsel fees) in connection with the defense of any pending or threatened litigation to which such person is, or is threatened to be made, a party because such person is or was serving in such capacity. This right of indemnification shall also apply to expenses of litigation which is compromised or settled, including amounts paid in settlement, if the Corporation shall approve such settlement as provided in this Article XIX of these Bylaws. Such person shall be entitled to be indemnified if he/she acted in good faith and in a manner he/she reasonably believed to be in, and not opposed to, the best interests of the Corporation. The termination of any litigation by judgment, order, settlements, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner reasonably believed to be in, and not opposed to, the best interests of the Corporation.

19.02 Any amount payable as indemnification under this Article shall be determined and paid by the Corporation pursuant to a determination by a majority vote of a quorum of the Board, consisting of members of the Board who have not incurred expenses in connection with the litigation for which indemnification is sought, that such person seeking indemnification has met the standards of conduct set forth in this Article. If such a quorum is not obtainable, or even if obtainable, a quorum of disinterested Directors so directs, such determination shall be made either:

- A. By the Board upon the opinion in writing of independent legal counsel that indemnification is proper in the circumstances because the applicable standard of conduct set forth in this Article has been met; or
- B. By a majority vote of the members of the Board upon a finding that the person seeking indemnification has met the applicable standard of conduct set forth in this Article.

19.03 Any expenses incurred by such person in connection with the defense of any litigation may be paid by the Corporation in advance of a final disposition of such litigation upon receipt of an undertaking by such person to repay such amount if it is determined under Article 19.02 hereof that such person is not entitled to be indemnified under this Article.

19.04 The right of indemnification under this Article shall be in addition to, and not exclusive of, all other rights to which such person may be entitled.

19.05 The Board may, at its discretion, authorize the purchase of insurance on behalf of any persons indemnifiable under this Article. Such insurance may include provisions for indemnification of such persons for expenses of a kind not subject to indemnification under this Article. Any repeal or modification of this Article XIX shall be prospective only and shall not adversely affect any right or protection of a Director, officer, employee, fiduciary and agent of the Corporation under this Article XIX, as in effect immediately prior to such repeal or modification, with respect to any liability that would have accrued, but for this Article XIX, prior to such repeal or modification.

## Article XX. RULES OF ORDER

The rules of order for meetings of the Corporation shall be established by the Board so long as they are not contrary to the Articles of Incorporation, the Bylaws, the Operating Code and other governance documents of the Corporation.

## Article XXI. MISCELLANEOUS

21.01 **Annual Report.** Subject to the responsibilities outlined in Article 5.02, 5.03 and 14.01 of these Bylaws, none of the Corporation, Chair, Board of Directors, or any officer of the Corporation shall be required to send to Affiliated Organizations, substructures or individuals any annual or other report or statement of the affairs of the Corporation. Nothing in this section shall be deemed to limit or restrict the right of any such entity to request any information regarding the affairs of the Corporation to which they may be entitled under the laws of the State of Colorado and/or the laws of the United States of America.

21.02 **Accounts, Books, Minutes, Etc.** The Corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its Board and committees. All books and records of the Corporation may be inspected by any Director, or such Director's authorized agent or attorney, for any proper purpose at any reasonable time.

21.03 **Fiscal Year.** The fiscal year of the Corporation shall commence January 1 and end on December 31 each year.

21.04 **Conveyances and Encumbrances.** The assignment, conveyance or encumbrance or sale, exchange, lease or other disposition of any of the real property of the Corporation or all or substantially all of the other property and assets of the Corporation shall only be authorized by the Board if the purpose of such assignment, conveyance or encumbrance or sale, exchange, lease or other disposition of any of the real property of the Corporation or all or substantially all of the other property and assets of the Corporation complies with the purposes and restrictions on the powers of the Corporation set forth in these Bylaws.

21.05 **Designated Contributions.** The Corporation may accept any designated contribution, grant, bequest or device consistent with its general tax-exempt purposes as set forth in these Bylaws, and any restricted gifts policy adopted by the Board of the Corporation. The Corporation shall acquire and retain sufficient control over all donated funds (including designated contributions) to assure that such funds will be used to carry out the Corporation's tax-exempt purposes.

21.06 **Loans Prohibited.** No loans shall be made by the Corporation to the Chair of the Board or any other Director or to any committee member, officer or staff member.

21.07 **Severability and Headings.** The invalidity of any provision of these



Bylaws shall not affect the other provisions hereof, and in such event these Bylaws shall be construed in all respects as if such invalid provision were omitted. The descriptive headings of Articles and sections used in these Bylaws are inserted for convenience only and are not intended to and do not have any operative effect.

**21.08 Irrevocable Dedication and Dissolution.** The property of the Corporation is irrevocably dedicated to charitable purposes, and no part of the net income or assets of the Corporation shall inure to the benefit of private persons. Upon the dissolution of the Corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this Corporation, shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated for charitable purposes and which has established its tax exempt status under Section 501(c) (3) of the Internal Revenue Code, as amended. The use and disposition on dissolution or winding up of real or personal property owned or used by the Corporation in any and all States and Territories which are part of the United States of America shall be limited to the purposes stated above in this paragraph in such a manner as to satisfy the requirements of the laws of such States for exemption of such property from property taxation in such States.

**21.09 Saving Clause.** Failure of literal or complete compliance with any provision of these Bylaws in respect of dates and times of notice, or the sending or receipt of the same, or errors in phraseology of notice of proposals, which in the judgment of the voting representatives at meetings held do not cause substantial injury to the rights of voting representatives, shall not invalidate the actions or proceedings of the voting representatives at any meeting.

**21.10 Individual Liability.** No individual officer, Director or member of a committee of the Corporation shall be personally liable in respect of any debt or other obligation incurred in the name of the Corporation or any of its committees or substructures pursuant to authority granted directly or indirectly by the Board.

**21.11 Auditors.** The accounts and financial reports of the Corporation shall be audited annually by an independent firm of auditors. The independent firm of auditors shall be selected by the Board after the Board receives and considers the recommendation of the Audit, Finance and Budget Committee.

# OPERATING CODE – 2012-2013 OF USA VOLLEYBALL

Adopted: May 23, 2008  
Last Amended: May 24, 2013

## Article I. PREAMBLE

This Operating Code is a supplement to the Bylaws of USA Volleyball (Corporation or USAV). If there is an actual or apparent discrepancy between this Operating Code and the Bylaws, the Bylaws shall prevail. The Board of Directors has authorized *Administrative Manuals* to delineate the specific policies, procedures and functions of each substructure. *Administrative Manuals* shall be consistent with the governing documents of the Corporation. Each substructure shall ensure that its *Administrative Manual* is updated annually and shall submit changes to the Structure and Function Commission for review of language and format. The *Administrative Manuals* shall be subject to review by the Board of Directors. In addition, the Board of Directors has authorized a *Policies and Procedures Manual* that includes specific policies and procedures approved by the Board of Directors for lay volunteers.

## Article II. GOVERNANCE

2.01 **Board of Directors:** Refer to Bylaws Article V.

A. Policies.

1. All members of the Board of Directors shall register annually with the Corporation or a Regional Volleyball Association of USA Volleyball in whose geographical area they reside.
2. Service as a director shall be considered the highest priority within Corporation responsibilities, and shall pre-empt participation in all other Corporation activities and events. Meetings of the Board shall take priority over all other Corporation responsibilities. Only those directors with volleyball responsibilities which are vocational in nature shall be deemed as having a legitimate conflict.

2.02 **Officers:**

A. Chair. Refer to Bylaws 6.02.

1. Shall supervise the CEO and such committees as authorized by the Board of Directors.
2. Shall approve the appointment of the Secretary as recommended by the CEO.
3. Shall be responsible for ensuring the CEO or designee maintains the *Policies and Procedures Manual*.

2.03 **Secretary:** Refer to Bylaws 6.04.

Shall be the staff liaison to the National Structure and Function Commission and shall verify the presence of a quorum at meetings of the Board of Directors. The Secretary shall also perform such other assignments as authorized by the Board of Directors and/or the CEO.

2.04 **International Athlete Representatives to the USOC Athletes' Advisory Council (AAC):**

A. Election. An international athlete representative and alternate of the opposite sex shall be elected to the Athletes' Advisory Council of the USOC no later than Oct. 1st of the first year of the Quadrennium

as follows:

1. All athletes meeting the eligibility requirements shall be notified of the vacancy. Each shall be asked to indicate an interest in serving.
2. The names of all interested international athletes shall be placed on a ballot and distributed to all international athletes identified in (a) above. The individual receiving the highest vote count shall be elected. The individual of the opposite sex receiving the highest vote count shall be the alternate.
3. If otherwise eligible, the representative may be re-elected.
4. If an otherwise eligible athlete is a paid employee of the Corporation or the USOC, such athlete is not eligible for election.

### **Article III. CHIEF EXECUTIVE OFFICER**

**3.01 Authority:** Refer to Bylaws, Article XII.

**3.02 Accountability:** The Chief Executive Officer (CEO) of the Corporation shall be accountable to the Board of Directors. Other employees of the Corporation shall be accountable to the CEO.

**3.03 Mission/Responsibilities:**

A. Primary. Refer to Bylaws, Article XII.

B. Others.

1. The CEO shall be responsible for the appropriate staffing necessary for the Corporation to achieve its objectives.
2. The CEO, or designee, shall serve as a liaison to each substructure of the Corporation.
3. The CEO, or designee, shall make relevant recommendations to the Board of Directors, officers or committee chairs after reviewing appropriate legal documents, policies and long-range plans of the Corporation.
4. The CEO, or designee, shall develop and maintain an appropriate Employee Handbook and the USA Volleyball Financial Internal Controls Manual.
5. The CEO, or designee, shall attend all meetings of the Board of Directors in an ex-officio, non-voting capacity. The CEO may request the attendance of additional employees in ex-officio, non-voting capacities at all meetings of the Board of Directors or other specified meetings of the Corporation.

**3.04 Commissions Reporting to the CEO**

A. Diversity Commission

1. Authority: The Board of Directors may establish a Diversity Commission.
2. Accountability: The CEO shall appoint a Chair for the Diversity Commission and recommendations of the Commission shall be directed to the CEO for review and action, if any.
3. Mission/Responsibilities:
  - a. Identify, recruit and mentor individuals from underrepresented

- populations within volleyball;
  - b. Interact with all Member Organizations to assess the status of volleyball involvement of underrepresented populations in participation and leadership roles;
  - c. Develop and maintain a strategic plan for diversity in volleyball and periodically review the corporation's compliance with the plan;
  - d. Engage the Member Organizations in implementing the diversity in volleyball plan; and
  - e. Identify and recognize individuals and organizations that demonstrate a successful commitment to diversity.
4. Composition: qualified individuals appointed by the Commission Chair in consultation with the staff liaison.
- B. Rules Commission (RC): The FIVB Rules of Play shall be the official rules of play in the United States.
1. Authority: The Board of Directors may establish a Rules Commission.
  2. Accountability: The CEO shall appoint a Chair for the Rules Commission and recommendations of the Commission shall be directed to the CEO for review and action, if any.
  3. Mission/Responsibilities:
    - a. Review FIVB Rules of Play and recommend a publication format for the United States that includes brief notations when dictated by United States insurance regulations or safety issues. Only in those cases where the FIVB rules are vague or confusing due to language translations may the Commission add visibly differentiated commentary to clarify the intent of the rule. A United States representative to a FIVB Rules-related Commission shall review and approve the commentaries prior to final approval by the Board.
    - b. Identify and implement the testing of changes to the rules where the Commission may see a compelling need for change at the international level. Any testing done shall be followed by a written analysis. Should the test results support a need for change, recommendations approved by the Board shall be forwarded to the FIVB Rules Commission for consideration.
    - c. Recommend a publication format for Domestic Competition Regulations that includes:
      - i) FIVB rules with safety notations and translation commentaries;
      - ii) Modifications for outdoor, developmental recreational and other play;
      - iii) Modifications for special categories of play to include Co-Ed, Reverse Co-Ed and other rules as requested by Member Organizations; and
      - iv) Modifications for USA Volleyball nationally-sanctioned championship events.
    - d. Send a Commission member to represent the Rules Commission at the meeting of the rules committees of the NCAA, the National Federation of State High School Associations (NFHS) and of any other organization deemed appropriate by the Commission. All appointments shall be made by the Chair and approved by the CEO.

4. Composition: qualified representatives appointed by the Commission Chair in consultation with the staff liaison.
- C. High Performance Commission (HPC)
1. Authority: The Board of Directors may establish a High Performance Commission.
  2. Accountability: The CEO shall appoint a Chair for the HPC and recommendations of the Commission shall be directed to the CEO for review and action, if any.
  3. Mission/Responsibilities:
    - a) Serve as the primary lay substructure to assist and advise the High Performance Department of USAV with all areas of the High Performance Pipeline.
    - b) Monitor and evaluate the activities conducted to identify and train international-caliber athletes within USAV.
  4. Composition: qualified representatives appointed by the Commission Chair in consultation with the staff liaison.
- D. Championship Events Commission (CEC)
1. Authority: The Board of Directors may establish a Championship Events Commission to assist the Events Department of the Corporation by addressing issues and making recommendations regarding various areas related to USA Volleyball Championship Events.
  2. Accountability: The CEO shall appoint a Chair for the CEC and recommendations of the Commission shall be directed to the CEO for review and action, if any.
  3. Mission/Responsibilities:
    - a. Serve as the primary lay substructure to assist and advise the Events Department of the Corporation with regard to all USA Volleyball National Championships and USA Volleyball National Qualifier Events.
    - b. Evaluate programs of USA Volleyball Championships and National Qualifier Events to ensure the quality of the events and the quality of event management.
    - c. Ensure that the events meet the needs of all participants.
    - d. Forward the concerns of the USAV constituencies that are involved in championship events for discussion and recommendation to the Events Department of the Corporation.
    - e. Continually evaluate the selection process and the assignment of teams to appropriate tournaments and levels of play.
    - f. Assist Member Organizations, through a defined process, on how they may access USA Volleyball Championship Events.
    - g. Identify needs and propose appropriate budget adjustments for recommendation to the Events Department of the Corporation.
    - h. Ensure established policy related to the conduct of all USA Championship Events is followed.
    - i. Assist with the training and mentoring of a cadre of arbitrators and event specialists.
    - j. Ensure USA Volleyball Championship Events adhere to the established policies, rules and regulations of all entities which may have regulatory authority over USAV events.

- k. Forward recommendations from individual events regarding site selection, championship staff additions or changes, arbitrator issues, procedures of ethics and eligibility panels, computer needs, equipment/supplies upgrades and awards/recognition to the Board of Directors and/or the Events Department of the Corporation.
4. Composition: qualified individuals appointed by the Commission Chair in consultation with the staff liaison.
- E. Sports Medicine & Performance Commission (SMPC)
  1. Authority: The Board of Directors may establish a Sports Medicine and Performance Commission.
  2. Accountability: The CEO shall appoint a Chair for the SMPC and recommendations of the Commission shall be directed to the CEO for review and action, if any.
  3. Mission/Responsibilities:
    - a. Serve as the coordinating group for sports medicine and performance research within USA Volleyball.
    - b. Be the clearinghouse for the dissemination of sports medicine and performance information to the volleyball community.
  4. Composition: qualified individuals in the sports medicine field appointed by the Commission Chair in consultation with the staff liaison.
- F. Recognitions and Awards Commission (RAC)
  1. Authority: The Board of Directors may establish a Recognitions and Awards Commission.
  2. Accountability: The CEO shall appoint a Chair for the RAC and recommendations of the Commission shall be directed to the CEO for review and action, if any.
  3. Mission/Responsibilities: Subcommittees may be established to recommend to the Board recognition of leaders, administrators, officials and athletes. In addition, this committee shall be responsible for conducting the "Dorothy C. Boyce Annual Awards Banquet."
  4. Composition: One representative for each recognition category (i.e. Leadership, Athletes and Coaches, Officials and Juniors) appointed by the Commission Chair with the appointments preferably from among incumbent award committee chairs in consultation with the staff liaison.
- G. Coaches' Commission (CC)
  1. Authority: The Board of Directors may establish a Coaches' Commission.
  2. Accountability: The CEO shall appoint a Chair for the CC and recommendations of the Commission shall be directed to the CEO for review and action, if any.
  3. Mission/Responsibilities:
    - a. Serve as the primary lay substructure to assist and advise all departments of USAV with all areas relating to coaching.
    - b. Monitor and evaluate the activities conducted to identify and train all levels of coaches within USAV.
    - c. Work with staff on making all coaching education accessible, affordable, and flexible.
    - d. Evaluate ongoing programs and recommend methods of deliv-

- ery and funding options for USAV coaching education options.
4. Composition: qualified individuals with expertise in various areas of coaching males, females, indoor, beach, youth and adults appointed by the Commission Chair in consultation with the staff liaison.
- H. Disabled Sports Commission (DSC)
1. Authority: The Board of Directors may establish a Disabled Sports Commission.
  2. Accountability: The CEO shall appoint a Chair for the DSC and recommendations of the Commission shall be directed to the CEO for review and action, if any.
  3. Mission/Responsibilities:
    - a. Serve as the primary lay substructure to assist and advise the USAV staff with respect to all areas relating to volleyball athletes with physical and mental disabilities.
    - b. Monitor and evaluate the activities conducted to identify and train international-caliber disabled athletes within USAV.
    - c. Monitor and evaluate the activities conducted to provide opportunities for all levels of disabled athletes within USAV.
    - d. Assist Member Organizations as requested to evaluate activities for athletes with physical and mental disabilities.
  4. Composition: qualified individuals appointed by the Commission Chair in consultation with the staff liaison.
- I. National Structure and Function Commission (NSFC)
1. Authority: The Board of Directors may establish a Structure and Function Commission.
  2. Accountability: The CEO shall appoint a Chair for the NSFC and recommendations of the Commission shall be directed to the CEO for review and action, if any.
  3. Mission/Responsibilities:
    - a. Review the Corporation Articles of Incorporation, Bylaws, Operating Code, *Policies and Procedures Manual* and *Administrative Manuals* in terms of accuracy and applicability and to ensure compliance with the Amateur Sports Act of 1978, as amended by the Ted Stevens Olympic and Amateur Sports Act of 1998, Subsection 220522, and the policies of the USOC.
    - b. Recommend appropriate changes to the Secretary and the Board of Directors.
    - c. Ensure changes are made to all printed documents to comply with responsibilities of the Corporation.
  4. Composition: qualified individuals appointed by the Commission Chair in consultation with the staff liaison.
- J. Marketing Commission (MC)
1. Authority: The Board of Directors may establish a Marketing Commission.
  2. Accountability: The CEO shall appoint a Chair for the MC and recommendations of the Commission shall be directed to the CEO for review and action, if any.
  3. Mission/Responsibilities:
    - a. Assist staff development of a strategic plan for “selling” the sport of volleyball in the marketplace.

- b. Advise, report on and discuss new opportunities for market-place penetration.
- c. Monitor the volleyball and sporting culture marketplace for changes, new developments and new companies that may be interested in investing in volleyball.
- d. Develop both a domestic and international strategy.
- 4. Composition: qualified individuals with marketing and sales expertise and knowledge of the various constituencies of USA Volleyball (e.g. juniors, beach, international) appointed by the CEO.
- K. Member Relations Commission (MRC)
  - 1. Authority: Refer to Bylaws, Article 8.02 F.
  - 2. Accountability: The CEO shall appoint a Chair for the MRC and recommendations of the Commission shall be directed to the CEO for review and action, if any.
  - 3. Composition: Refer to Article 9.08 B.
  - 4. Mission/Responsibilities: Refer to Bylaws, Article 8.02 F 2.
- L. Other Commissions, Sub-Commissions and Caucuses:
  - 1. Authority: The Board of Directors, upon the recommendation of the CEO, may establish other Commissions, Sub-Commissions and/or Caucuses that may include:
    - a. Beach High Performance Commission;
    - b. Indoor Championship Director's Sub-Commission;
    - c. Qualifier/Bid Event Director's Caucus;
    - d. Indoor Junior Events Sub-Commission;
    - e. Indoor Adult Events Sub-Commission;
    - f. Grassroots Commission;
    - g. Boys' and Men's Commission;
    - h. Officiating Commission;
    - i. Officials Caucus;
    - j. Beach Championship Events Commission;
    - k. Beach Championship Director's Commission;
    - l. Beach Junior Events Sub-Commission; and
    - m. Beach Adult Events Sub-Commission.

#### **Article IV. REGIONAL VOLLEYBALL ASSOCIATIONS OF USA VOLLEYBALL**

- 4.01 **Authority:** Refer to Bylaws, Article 4.01 A.
- 4.02 **Accountability:** In order to maintain affiliated status each Regional Volleyball Association of USA Volleyball (RVA) shall continue to meet the criteria stated in the Bylaws Article 4.01 A.
- 4.03 **Requirements:**
  - A. Each RVA shall be required to:
    - 1. Determine the plan of organization and create substructures required for optimum development and accomplishment of the mission of the RVA.



2. Cooperate with local branches of other Member Organizations and attempt to ensure their representation on committees of the RVA.
3. Sanction/approve, promote and conduct open volleyball competitions, exhibitions and events held within the geographical area of the RVA.
4. Enforce all policies, rules, regulations and guidelines, as adopted by the Board of Directors of the Corporation and/or the Board of Directors of the RVA.
5. Register individual participants and teams, only with the Corporation, who shall be considered members of the RVA.
6. Appoint a referees' chair and a scorers' chair or an officials' chair.
7. Be responsible for the regional certification of referees and scorers and recommendation of candidates for national certifications.
8. Be responsible for compliance with the Corporation's requirement for any person coaching a junior team to have at least IMPACT or USAV-approved equivalent coaching certification within a reasonable amount of time after participation as a coach in junior levels.
9. Be responsible for compliance with the RVA Assembly Background Screening Policy.
10. Submit the following reports:
  - a. The RVA shall inform the Corporation of the date when Tax Form 990 was filed with the Internal Revenue Service.
  - b. The first regional membership report, fee payment and data transfer to the National Office is due no later than the 15th of the second month of the season. Data transfers shall be done no less than twice a month. Such data transfers shall include all membership data available at that time. Membership reports and fee payments shall be done no less than once a month through the end of the season. The membership and insurance start date for the RVA season shall be Sept. 1st beginning with the 2009-2010 season.
11. Discipline individual and team registrants for any period of time the RVA deems appropriate for any rules, regulations, and code or policy violations of that RVA and/or the Corporation. All such disciplinary actions shall be subject to the due process requirements of the RVA and the Corporation's Bylaws Article XIII.

#### 4.04 **Redistricting.**

- A. Preamble: USA Volleyball continues to experience a steady growth of its membership and interest in volleyball. It also continues to experience the desire by applicant members toward the formation of new or Sub-RVAs within the existing geographic configuration forming the present corporation. In facilitating the growth of volleyball, USA Volleyball adopts the following guidelines concerning redistricting of both the geographic and membership of the volleyball community.
- B. USA Volleyball further recognizes that each existing Regional Volleyball Association (RVA) has been formed under the laws of the state(s) in geographic areas. Redistricting may occur within a single state, or may affect a number of states and their laws. Not all

state laws are identical. Likewise, redistricting will have an impact on Parent RVAs, how they are left to operate, their financial structure, and on how bids are allocated for National Championships. In order to assist the existing RVAs and members toward redistricting in a harmonious manner, the following process and procedure has been approved. Each applicant and RVA should consult counsel of their choice and comply with their own state laws in effectuating a change of existing Regional Volleyball Associations (RVAs).

C. Definitions.

1. "Redistricting." Refers to the process in which an RVA is formed, whether by separating from an existing RVA within one state, or separating from existing RVAs and forming one RVA within a geographical area.
2. "Parent RVA." Refers to those geographic areas whose physical boundaries are presently recognized by USA Volleyball.
3. "Sub-RVA." Refers to that separated geographic area of an existing Parent RVA within one state/RVA's geographic area, whose application has been approved by the RVA, Zone, and the RVA Assembly. Sub-RVA status shall be computed beginning the date the application is approved by the RVA Assembly, for a minimum of one (1) year or longer, when necessary, until all requirements of a RVA are satisfied, as reflected in the RVA Administrative Manual. Once the requirements are met and the trial period completed, the application shall be submitted by the RVA Assembly to the USAV Board of Directors for final approval as a new Regional Volleyball Association (RVA).
4. "Provincial RVA." Refers to that separated geographic area of more than one existing Parent state/RVA whose application has been submitted and approved by each impacted Parent RVA, zone, and the RVA Assembly. Provincial RVA status shall be computed beginning the date the application is approved by the RVA Assembly, for a minimum of one (1) year or longer, when necessary, until all requirements of a RVA are satisfied, as reflected in the RVA Administrative Manual. Once the requirements are met, and the trial period completed, the application shall be submitted by the RVA Assembly to the USAV Board of Directors for final approval as a new Regional Volleyball Association (RVA).
5. "Associate RVA." Refers to that separated geographic area of one or more existing Parent RVA(s) whose application has been rejected by one or more of the existing Parent RVA(s), but whose application is approved by the RVA Zonal Committee after an independent review. An Associate RVA status shall be computed beginning the date the application is approved by the RVA Assembly, for a minimum of one (1) year or longer, when necessary, until all requirements of a RVA are satisfied as reflected by the RVA Administrative Manual. Once the requirements are met and the trial period completed, the application shall be submitted by the RVA Assembly to the USAV Board of Directors for final approval as a new RVA.
6. "RVA Zonal Committee." Refers to the committee chaired by the appropriate Zonal Chair and will be comprised of all Regional

Commissioners within a designated USAV geographic Zone where the redistricting proposal is originating. Presently these Zones are: Atlantic (North and South), Border (East and West), Central (East and West), and Pacific (North and South).

7. "Corporation." Refers to USA Volleyball (USAV), the national organization.
  8. "RVAs". Refers to Regional Volleyball Associations: A RVA Member Organization of USA Volleyball.
  9. "RVA Assembly" [formerly the Regional Operations Division]. Refers to the collective organization of Regional Volleyball Associations (RVAs).
- D. Application Process. The following process/procedure should be followed by all applicants seeking redistricting.
1. A written application shall be filed with each RVA impacted by a redistricting proposal, with copies provided to the RVA Zonal Committee Chair, the RVA Assembly Chair, and the USAV Administrative Office.
  2. All written applications shall follow RVA redistricting procedures, if any, prior to any application being considered by the RVA Zonal Committee, the RVA Assembly, or USA Volleyball.
  3. Each written application shall be signed by at least five (5) persons supporting the redistricting, under penalty of perjury, with applicants attesting that the information provided for in the application is true, accurate and brought in good faith.
  4. Each written application shall include, but not be limited to:
    - a. The name of the proposed Sub, Provincial or Associate RVA.
    - b. The name(s) of all Parent RVA(s) and all USAV Zone(s) impacted by the redistricting.
    - c. A reference to whether prior application(s) has/have been presented to the Parent RVA(s), the date, and a written summary regarding the prior application(s) status.
    - d. A clear description of the geographic area impacted by the application; whether it impacts more than one RVA (a detailed map should be provided); the population base of the new applicant area; the population base of the existing Parent RVA(s) being impacted; and membership base of the new and Parent RVA(s).
    - e. A clear description of the membership and teams (adult, juniors, boys and girls) impacted by the application, including the number of members and teams to be in each RVA, the growth rate of volleyball in the area over the last three (3) years, the number of referees and scorekeepers in each RVA, and any other information which the applicant deems helpful to the review committee.
    - f. An accurate summary of the impact the application has on existing membership in each impacted Parent RVA, including but not limited to fiscal impact on the existing Parent RVA(s); impact on adult and junior tournament schedules; impact on junior team bid allocation; and other issues which the RVA Zonal Committee may determine to be relevant.
    - g. A clear statement of the purpose for which the application is made.

- h. The names, addresses and USAV membership number of persons proposed as the Commissioner, the Board of Directors and Officials Chair.
  - i. A list of at least 200 adults or 500 members, their names, addresses, phone numbers, USAV membership number, team affiliation, and signature supporting the application. These 500 members shall include at least two-thirds (2/3) players (both adults and juniors) as well as coaches and team representatives.
  - j. A copy of the applicants proposed Articles of Incorporation; proposed Bylaws, and handbooks, which shall include due process procedures, sexual harassment policy, fiduciary policy concerning financial matters, and steps taken to obtain non-profit tax status.
  - k. A copy of the applicant's proposed budget and inventory of capital assets, financial status, income sources, and liabilities.
  - l. A copy of a proposed reciprocity agreement with existing Parent RVA(s) authorizing members of each RVA to participate in tournaments sponsored or sanctioned by the new RVA or Parent RVA(s).
  - m. A statement whether the applicant provided a copy of the application or notice of intent to seek redistricting to the existing Parent RVA(s), and a summary of the steps the Parent RVA(s) have taken:
    - i. To inform the Parent RVA(s) membership;
    - ii. Information on any polls and their results, and
    - iii. The number of occasions the Parent RVA(s) and applicants have met and the results of those meetings. Such statements shall include any agreements or recommendations a RVA may have to such application.
- E. Procedure.
1. Each applicant shall submit a copy of the application for redistricting or a notice of intent to seek redistricting to each existing Parent RVA impacted by the application at least ninety (90) days prior to an application being submitted to the RVA Zonal Committee Chair, with copies provided to the RVA Zonal Committee Chair, the RVA Assembly Chair, and the USA Volleyball Administrative Office.
  2. Each Parent RVA shall have a redistricting policy to address such applications. Each Parent RVA shall submit the application or notice to its members and obtain a consensus of the majority of its members for the application to be considered.
  3. A summary of the RVA's action, manner of polling its members, polling results, and/or membership responses shall be submitted in written form to the RVA Zonal Committee Chair no later than thirty (30) days prior to the RVA Assembly Annual Meeting. The summary shall include, but not be limited to, any information the Committee deems relevant and helpful toward its consideration of the application. The scope of the review shall also consider steps taken by the Parent RVA to inform and poll its members, the fairness of the procedure used to allow the application full and fair consideration, and any other information the Committee deems appropriate.
  4. An applicant whose application for redistricting is rejected by the

Parent RVA(s) may submit the same for reconsideration by the RVA Zonal Committee.

5. The RVA Zonal Committee in which the redistricting application is initiated shall meet, review, and make appropriate inquiries regarding the redistricting application or request for reconsideration prior to the RVA Assembly Annual Meeting, and submit a status report or recommendation to the RVA Assembly. The Committee shall make appropriate recommendations regarding the redistricting application or reconsideration motion to the RVA Assembly. The RVA Zonal Committee may elect to (a) support the application and recommend to the RVA Assembly the formation of a Sub or Provincial RVA; (b) reject the application; (c) recommend a formation of an Associate RVA, or (d) direct that further action be taken on the application.
  6. If the RVA Zonal Committee believes, by a majority, that the impacted Parent RVA(s) have failed to provide the application a fair investigation, review, hearing or fair assessment in the determination as to whether such redistricting application is favored by the majority of the membership of the impacted RVA(s), the Committee may recommend to the RVA Assembly that the application be submitted as an Associate RVA. Such recommendation may be considered by the RVA Assembly. Alternatively, the RVA Assembly may hold its own poll and determine whether such an action is in the best interest of the RVA(s) and area membership. The cost of such poll shall be assessed against the Parent RVA(s).
  7. If the RVA Zonal Committee finds that an application is supported by the impacted Parent RVA(s), the Committee shall recommend that the redistricting be approved by the RVA Assembly.
  8. If the RVA Zonal Committee finds insufficient basis for redistricting to occur, the Committee may in writing reject the application. Such rejection shall be final. A copy of this determination letter should be sent to the RVA Assembly Chair.
  9. If the RVA Zonal Committee, after full evaluation, finds support for the redistricting, opposite of the Parent RVA(s) recommendation, the Committee may recommend that an Associate RVA be established.
  10. If the RVA Zonal Committee believes, by a majority, that the applicant has brought the application in bad faith, or has provided false information or misrepresented facts to the Committee, the Committee may elect to reject the application. If the Committee finds insufficient basis to recommend redistricting, the Committee may in writing recommend rejection of the application. A copy of this determination letter should be sent to the RVA Assembly Chair.
  11. If an application is rejected by the RVA Zonal Committee for bad faith or because it was based on false or misleading information, the Committee may recommend sanction of the applicants whose signature appear on the application and that no application for redistricting be permitted for a period of two (2) years.
- F. Limitations on Redistricting.
1. No application for redistricting shall be approved by the RVA Zonal Committee or RVA Assembly unless applicant RVA shall have at least one third (1/3) of the impacted Parent RVA(s) registered mem-

- bers, with no less than twenty-five percent (25%) of the new RVA members registered as adult members and the remainder junior members, provided the Committee may relax such limitation if the Parent RVA(s) support an application.
2. No application for redistricting shall be approved if the impact of such redistricting will reduce an impacted Parent RVA(s) by more than one half of its membership in any existing category, or below a minimum of 250 adult members and 750 junior members.
- G. Dispute Resolution. The Corporation encourages mutual agreements between Parent RVA(s) and applicant members who seek redistricting consideration. If the Parent RVA(s) are unable to reach mutual agreements with an applicant, any disputes shall be submitted to arbitration before a three-person panel comprised of RVA representatives or an arbitrator agreed to by the parties. Each of the parties agrees that the arbitrator's decision shall be binding.
- H. Trial Period.
1. A redistricting application supported by the impacted Parent RVA(s) shall enjoy Sub or Provincial RVA status for a period of one (1) year following approval of the RVA Assembly and the USAV Board of Directors. Supervision of the Sub or Provincial RVA shall be by the Parent RVA(s).
  2. A redistricting application approved by the RVA Zonal Committee and not supported by the impacted Parent RVA(s) shall enjoy Associate RVA status for a period of one year following approval of the RVA Assembly and the USAV Board of Directors. Supervision of the Associate RVA shall be by the RVA Zonal Committee.
  3. A new RVA shall conduct elections, obtain appropriate non-profit tax status, complete all organization legal requirements and otherwise demonstrate to the RVA Zonal Committee that it has complied with all RVA requirements as reflected in the Corporate Bylaws and RVA Administrative Manual prior to final approval of the RVA Assembly and USAV Board of Directors.
- I. Redirection of Assets, Liabilities and Responsibilities on Redistricting.
1. At no time shall the impacted Parent RVA(s) be placed in such a posture that they are required to obtain financial loans to meet their operation expenses, or be placed in such financial posture that their credit status is jeopardized.
  2. If a redistricting application is made and approved, all Parent RVAs shall provide minimum "start-up" assistance comprised of services, monies or materials to provide the fledging RVA with rulebooks, guidebooks, or funds to begin a new season. Such start-up assistance shall be based on the proration of expected membership. Any further assistance shall be at the option of the Parent RVA(s) and shall be based on fairness.
  3. If a new RVA lacks financial resources or funding to properly equip their offices and meet the requirements of an RVA, as set forth in the RVA Administrative Manual and the Bylaws of the Corporation, the application shall be suspended until proper funding can be available to allow the new RVA to function appropriately.
- J. Allocation of Championship Bids. Each RVA shall be entitled at least

one bid per age division to the Junior National Championships (JVC) based on Junior membership. A Sub, Provincial, or Associate RVA shall be entitled to share in any bids available to the Parent RVA(s) if more than one is available based on a pro rata formula of junior memberships in each of the RVAs. If a Parent RVA is afforded only one bid, then a Sub, Provincial or Associate RVA may be allocated a bid from the at-large bid pool by the championship bid committee, provided the new RVA has been approved.

- K. Reciprocity Agreements. Each Parent RVA and any Sub, Provincial or Associate RVA shall enter into a reciprocity agreement for the first three (3) years of the new RVA's existence, allowing teams and player members to continue to participate in tournaments in the Parent RVA(s). Likewise, Parent RVA(s) teams and player members may participate in tournaments sanctioned by the Sub, Provincial or Associate RVAs during the same time period.
- L. Membership Obligations. Membership requirements for Sub, Provincial or Associate RVA are as follows:
  - 1. Communication Obligations.
    - a. RVA newsletter - minimum of two (2) issues during its year(s) as a Sub, Provincial or Associate RVA. (See Chapter 12, Newsletter).
    - b. RVA Player Handbook. (See Chapter 13, Player Handbook).
    - c. RVA Tournament Schedule must be made available to the members. (See Chapter 18, Tournaments).
    - d. USAV Guidebook material must be submitted at the RVA Assembly Annual Meeting just prior to the USA Volleyball Championship, or June 1, whichever comes first. (See Chapter 25, USAV Guidebook).
  - 2. Administrative Obligations.
    - a. Register players and teams.
    - b. A Sub or Provincial RVA should pay the individual member's insurance premiums with its monthly membership fees/insurance report to the Parent RVA.
    - c. An Associate RVA should pay the individual members' insurance premiums with its monthly membership fees/insurance report to the USAV Administrative Office, with a copy of each report sent to the Zonal Committee Chair.
  - 3. Train and certify referees and scorekeepers with a minimum of two clinics for each category.
    - a. Establish minimum requirements.
    - b. Schedule as many clinics as possible which are reasonably accessible to all members.
  - 4. Coordinate and sanction tournaments.
    - a. Schedule adequate competition at various levels of play.
    - b. Establish a Court Conduct Code outlining minimum standards of conduct at tournaments.
    - c. Conduct Sub, Provincial or Associate RVA Regional Championships.
  - 5. Establish Due Process Appeal Procedures.
- M. Membership Benefits. Liability and secondary Sports Accident Insurance for currently registered players and voice with no vote at all RVA Assembly meetings.

## Article V. NATIONAL REGISTRATION CATEGORIES

5.01 **Authority:** USA Volleyball Board of Directors.

### 5.02 **Definitions.**

- A. **Registration Categories.** Registration categories are subject to approval by the Board of Directors.
- B. **Registration.** Registration is the process of recording and filing with the Corporation the name of an Individual, Team and Club with required ancillary information and the receipt of required fees(s).
- C. **Registered with the Corporation.** Individuals, Teams and Clubs that are registered through any RVA or directly with the Corporation shall be considered registered with the Corporation.
  1. **Individuals.** Individuals may register in one of the following registration categories:
    - a. **Full Memberships.** These memberships are considered unrestricted and are available for adult and junior registrants.
      - i) **Adult Registrants.** Registration is required of adult individuals participating in any RVA or Corporation-sanctioned activities in any capacity (as athletes, coaches, officials, chaperones and/or administrators, for example). Participants in RVA competitions and USA Volleyball Junior National Championships, including all qualifying events, shall register with the RVA in the geographical area in which they reside or in which their club/team is registered. Participants in other programs sanctioned by the Corporation are required to register and may do so either through the Corporation's principal office or with the RVA as applicable.
      - ii) **Junior Registrants.** Registration is required of junior individuals participating in any RVA or Corporation-sanctioned activities in any capacity. Participants in RVA competitions and USA Volleyball Junior National Championships, including all qualifying events, shall register with the RVA in the geographical area in which they reside or in which their club/team is registered. Participants in other programs sanctioned by the Corporation are required to register and may do so either through the Corporation or with the RVA as applicable.
        - i) Junior registration is restricted to individuals who are:
          - a) 18 years of age or younger on Sept. 1 of the current season or
          - b) 19 years of age or younger on Sept. 1 of the current season and a high school student during some part of the academic year.
        - ii) Once a junior registrant, regardless of age, participates (including but not limited to practicing, training, attending workouts and/or competing) in a club or varsity program for any university, college, community college, or junior college, he/she is ineligible to take part in any regional and national programming, which includes but is not limited to USA



- Volleyball National Championships including all qualifying events.
- c. Limited Memberships: These memberships are considered restricted, either in length of membership or participation, as per RVA or Corporation policy, and are available for adults and junior registrants.
2. Teams. Each team participating in any RVA or Corporation-sanctioned activities shall be considered registered with the Corporation by registering with its respective RVA.
    - a. Teams shall register in one of the following categories:
      - i) Regular. Registration required of teams composed either entirely of regular athletes or a composite of regular, junior volleyball and/or "other" athletes.
      - ii) Junior Volleyball. Registration required of teams composed entirely of junior volleyball athletes.
      - iii) Recreational. Registration which may be required of teams affiliated with recreational organizations and/or agencies. Team members are not required to register with a RVA. They are not eligible to participate in open USAV-sanctioned competition but may be eligible for specified USAV-sanctioned competition within their category. The contact person designated by the team shall be considered registered with the Corporation by registering with a RVA and shall receive appropriate mailings and publications.
      - iv) Each team shall register with the RVA in whose area the team representative resides.
  3. Clubs: Each Club, consisting of one or more teams, shall be considered registered with the Corporation by registering with its respective RVA. Individuals and teams shall register in the same RVA in which the Club is registered. Each Club shall register with one RVA, as determined by the principal address of the designated club leadership and where the majority of its members reside. EXCEPTION: A club composed of individuals primarily residing in one RVA may request to register in an adjacent RVA with the permission of the Principal Representatives of both RVAs.
  - D. The registering RVA shall be empowered to govern activities within its geographic boundaries and of Individuals, Teams and Clubs registered with the RVA, for the duration of its registration. If a conflict occurs within a RVA's approved geographical Operating Code of USA Volleyball boundaries Principal Representative may prohibit the sanctioning of events and activities within these approved boundaries by the registering RVA.
  - E. Registration and/or sanctioning disputes shall be referred first to the RVA where the complaining party registered or seeks to register or sanction an event, then to the Ethics and Eligibility Committee of the RVA Assembly, only to determine whether due process was provided.

## Article VI. MEMBERSHIP, ADMINISTRATIVE FEES AND BENEFITS

6.01 **Authority:** Refer to Bylaws, Article IV.

6.02 **Membership Fees.** The Board of Directors may establish annual membership fees for all Member Organizations and include them in the *Corporate Policies and Procedures Manual*.

6.03 **Affiliated Organization Benefits.** Each Affiliated Organization shall receive a subscription to *VolleyballUSA*, a copy of the official *Guidebook*, *Domestic Competition Regulations* and other such benefits as from time to time are provided.

6.04 **Administrative Fees.** The Board of Directors shall establish a standard national administrative fee for each approved national registration category. (Refer to Appendix E of the *Complete Policies and Procedures Manual*.) This national administrative fee shall not cover the costs for publications of the Corporation, general liability and sport accident insurance or other ancillary materials. The administrative fee shall be established by the Board of Directors annually no later than the Annual Meeting of the Board of Directors and shall apply to the subsequent activity year. Each RVA has the authority to assess an additional fee for each of the approved registration categories, subject to Board-approved restriction. Upon request, Principal Representative(s) shall make available to the Corporation a copy of his/her region's fee schedule.

## Article VII. PARTICIPANT, TEAM ELIGIBILITY AND CHAMPIONSHIP EVENTS

These conditions and rules shall govern entrance to and competition in all Corporation events.

7.01 **Authority:** Refer to Bylaws, Article XIV.

7.02 **Definitions.**

A. Disciplines

1. Volleyball: traditional six-person competition played primarily indoors.
2. Beach Volleyball: traditional two-person competition played primarily outdoors on sand.
3. Sitting Volleyball: traditional six-person competition played primarily indoors.

B. Athletes.

1. Eligible Athlete. An athlete who is eligible for Olympic, FIVB and USAV competition pursuant to the current codes of eligibility of the International Olympic Committee (IOC), the FIVB, the USOC and USAV. Eligibility rules for athletes who desire to compete in domestic and/or international volleyball competitions shall be no more restrictive than those of the FIVB.
2. Ineligible Athlete. An athlete ruled to be in violation of the current eligibility requirements of the IOC, the FIVB, the USOC or USAV.
3. International Athlete. Refer to Bylaws, Article 3.01 L.

4. Domestic Athlete. Refer to Bylaws, Article 3.01 H.
  5. Foreign Athlete. An athlete who is not a citizen of the United States and desires to participate in any event sanctioned by the Corporation.
  6. USA National Team Athlete. An athlete who has competed in protected competition (Indoor or Beach) as defined by the USOC Constitution and Bylaws or whose name has been included on a National Team roster (Senior, Junior, Youth).
  7. Foreign National Team Athlete. A foreign athlete who has been certified by his or her National Federation to be a current member of one of its National Teams.
  8. Junior Volleyball Athlete. An athlete who meets the age/grade requirements, as specified in Article 5.02 C 1 b of this code, and is registered by a Member Organization that has been authorized by the Corporation to conduct Junior Volleyball activity.
  9. Adult Athlete. An athlete who does not meet the definition of a Junior Volleyball Athlete.
- C. Teams.
1. Classification. Team assignment by age groups or skill level, i.e. AA, A, BB, B. In junior age group competition, it may be single-age only or a maximum age and under. In masters and seniors competition, it shall be minimum age and over. When the number of entries into a USA Volleyball National Championship cannot be accommodated with a single tournament, multiple tournaments may be scheduled within a single classification.
  2. Division. A group of teams defined for tournament competition by gender of the participating athlete; e.g., female, male or co-ed.
  3. Team. A combination of athletes participating as a single playing unit restricted to one division and classification.
  4. National Team. A team officially recognized by a National Federation for international competition.
- D. Clubs.
1. Club. A single team or teams registered with one RVA under the same club name, which may or may not have the same team name.
  2. Club Team. A team affiliated with a club as defined in 1 above. If a club has more than one playing unit, each unit shall be registered as a separate team in only one RVA.
- E. Divisions of Competition. The divisions for competition are:
1. Men's Division. Shall consist of teams composed of males only.
  2. Women's Division. Shall consist of teams composed of females only.
  3. Co-Ed Division. Shall consist of teams composed of females and males consistent with the regulations adopted by the Corporation.
- F. Types of Team Competition.
1. Junior Volleyball Competition. Competition for athletes meeting the definition of a Junior Volleyball athlete in Corporation-approved age group classifications.
  2. Adult Competition. Primarily for athletes not meeting the eligibility standards for Junior Volleyball competition.
  3. Co-Ed Competition. Competition for teams composed of females

and males playing in various combinations consistent with the regulations adopted by the Corporation.

- G. Classification of Teams for Corporate events. Teams are classified by their Member Organization in order to identify their competitive level. (Athletes are not classified by the Corporation.) For events of the Corporation, the highest level of classification for a team shall be “Open” in all adult indoor events, “Open” in all indoor Junior events, and triple A (AAA) in all outdoor events. Lower levels may be expressed by single and/or double letters of the alphabet in alphabetical order; e.g., AA, A, BB, B.
- H. USA Volleyball Championship Events. There shall be ten (10) USA Volleyball Championship Events. The Board of Directors shall establish entry fees for USA Championship events no later than the Annual Meeting (in the previous calendar year). Entry fees shall be stated in the Pre-Tournament information.
1. the USA Volleyball Open Championships;
  2. the USA Volleyball Boys’ Junior National Championships;
  3. the USA Volleyball Girls’ Junior National Championships;
  4. the USA Volleyball Girls’ Junior National Invitational Championships;
  5. the USA Volleyball Co-Ed Championships;
  6. the USA Volleyball U-Volley Championships;
  7. the USA Volleyball Park Volley Championships;
  8. the USA Volleyball Open Beach Championships,
  9. the USA Volleyball Junior National Beach Championships; and
  10. the USA Volleyball Masters Beach Championships.
- I. U.S. National Championship Tournaments: Tournaments are conducted within each USA Volleyball Championship Events as listed above. Specific Eligibility Requirements are listed in the USAV Events Manual on USAV’s web site (<http://usavolleyball.org>).
1. U.S. Open Tournament. Teams are composed of athletes from any source who are highly skilled, elite-level athletes.
  2. U.S. Club Tournament. Teams are composed of athletes from the same Member Organization.
  3. U.S. Masters and Seniors Tournament. Teams are composed of athletes who meet the approved minimum age.
  4. U.S. Junior Tournament. Teams are composed of athletes from a Member Organization who meet the approved maximum age.
  5. U.S. Beach Tournament. Teams are composed of athletes from any source consistent with tournament requirements.
  6. U.S. Park Volley Tournament. Teams are composed of athletes from any source consistent with tournament requirements.
  7. U.S. Co-Ed Tournament. Teams are composed of athletes meeting the definition of co-ed competition and consistent with tournament requirements. Teams may be conglomerate from any source.
  8. U.S. U-Volley Tournament. Teams are composed of athletes who do not exceed the maximum individual height defined by the current FIVB Rules of Play.
- J. Rules Governing Play. The FIVB Rules of Play shall be the official rules of play in the United States. For domestic competition, the USA

Volleyball Domestic Competition Regulations may be selected to promote the game.

- K. Eligible Officials. Referees and scorers who (1) are currently registered with the Corporation through a RVA and (2) are certified with a USAV-approved rating.

**7.03 Eligibility Requirements for Sanctioned Competitions of the Corporation.**

- A. Registration.
  - 1. All athletes, coaches, managers, team trainers, officials, chaperones, teams and others who are involved in a sanctioned competition shall be registered with the Corporation and/or a RVA, as specified in Article V in this Operating Code.
  - 2. Eligibility for Foreign Participants is defined in the Policy on Foreign Participation as well as the Foreign Guest Coach Policy. Refer to the section on “Other Policies of the Corporation” in the USAV *Official Guidebook* or the USA Volleyball web site (<http://usavolleyball.org>).
- B. Participant's Code of Conduct. All participants shall abide by the Participant's Code of Conduct to which they have agreed as included in their membership application.
- C. Substance Abuse Policy. All participants shall abide by the United States Anti-Doping Agency protocols, which have been adopted by the USOC and USAV (Refer to the section on “Other Policies of the Corporation” in the USAV Official Guidebook).

**Article XIII. ZONAL STRUCTURE**

8.01 **Purpose.** To standardize the subdivision of the United States into geographic areas to accomplish one or more of the following:

- A. A specific program or administrative function.
- B. Strategically located trials and events.
- C. A culminating open competition conducted by the Corporation or substructure.
- D. A national primary event(s) to ascertain entry or seeding into a USA Volleyball Championship Event.

8.02 **Criteria.** Two intermediate levels of organization, zones and sections have been established with the following criteria considered: travel time and distance and the number of registered athletes.

8.03 **Zones and Sections.** Four zones have been established, with each subdivided into two sections:

- A. Atlantic Zone.
  - 1. The North-Atlantic Section shall be composed of the Chesapeake, Garden Empire, Iroquois Empire, Keystone, New England, Ohio Valley, and Western Empire Regional Volleyball Associations.
  - 2. The South-Atlantic Section shall be composed of the Carolina, Florida, Old Dominion, Palmetto and Southern Regional Volleyball Associations.

- B. Border Zone.
  1. The Border-East Section shall be composed of the Bayou, Delta, Gulf Coast, Lone Star, North Texas and Oklahoma Regional Volleyball Associations.
  2. The Border-West Section shall be composed of the Arizona, Southern California and Sun Country Regional Volleyball Associations.
- C. Central Zone.
  1. The Central-East Section shall be composed of the Badger, Great Lakes, Hoosier, Lakeshore, North Country and Pioneer Regional Volleyball Associations.
  2. The Central-West Section shall be composed of the Gateway, Great Plains, Heart of America, Iowa and Rocky Mountain Regional Volleyball Associations.
- D. Pacific Zone.
  1. The Pacific-North Section shall be composed of the Alaska, Columbia Empire, Evergreen and Puget Sound Regional Volleyball Associations.
  2. The Pacific-South Section shall be composed of the Aloha, Intermountain, Moku O Keawe and Northern California Regional Volleyball Associations.

8.04 **Realignment.** These boundaries may be modified by the Board of Directors.

### **Article IX. OFFICIAL PUBLICATIONS**

9.01 **Official Guidebook.** The Articles of Incorporation, the Bylaws, the Operating Code, a list of the names and addresses of Member Organizations, the Directors, the Officers, the various directories of personnel and descriptions of responsibilities for substructures, reports of RVAs and other appropriate information shall be published annually in the *Official Guidebook*. It shall be distributed to all Member Organizations, members of the Board of Directors and registered team representatives. It shall be available for sale.

9.02 **Domestic Competition Regulations.** A single volume of the *Domestic Competition Regulations* based on the *FIVB Rules of Play* (both Indoor and Beach) shall be published biennially. It shall be available to all registered individuals and distributed to organizations designated by the Board of Directors. It shall be available for sale and included on the USAV website.

9.03 **Magazine of the Corporation.** An informational periodical shall be published a minimum of four times a year. It shall be distributed to Member Organizations, members of the Board of Directors, persons registered with RVAs and other selected individuals.

## **Article X. AMENDMENTS**

10.01 **Authority:** Refer to Bylaws, Article XVIII.

10.02 **Procedures for Submission.** Proposed additions, deletions or amendments to this Operating Code may be generated in the following ways:

- A. By any Member Organization, substructure or individual, provided such proposal is submitted in writing to the Corporation's CEO, no later than sixty (60) days prior to the next meeting of the Board of Directors.
- B. At any time by a Director of the Board.

10.03 **Requirement for Action.**

- A. Proposed changes shall only be considered if notice is mailed or sent electronically to each member of the Board at least thirty (30) days prior to the voting deadline for the next meeting of the Board.
- B. A Bylaw may be adopted, amended or repealed by the Board by a two-thirds (2/3) majority of those casting ballots at a legally constituted meeting.
- C. Waiver of Requirement: By a two-thirds (2/3) majority vote of the total voting power of the Board at a legally constituted meeting action may be taken by the Board without thirty (30) days prior notice.

## **COACHES CODE OF ETHICS AND CONDUCT USA VOLLEYBALL**

USA Volleyball has adopted, in its entirety, the United States Olympic Committee's Coaching Ethics Code, and it is my responsibility to familiarize myself with that document and conduct myself according to its tenets. Failure to understand any of the principles of these documents does not constitute a defense for violation of its rules. The principles outlined in this document are intended to be clarifications or expansions on the USOC document, and are an emphasis on the values of USAV; this document should not be considered to be the full scope of regulations and Ethics Codes required of coaches. Further, where this document supersedes, contradicts or exceeds the scope of the USOC Coaching Ethics Code, I will adhere to the principles and intent of the USAV Code. I recognize that this Code of Ethics goes beyond the scope of the law, and should be treated with the same, or greater, respect and gravity with which I treat the laws and standards of my community.

### **PRINCIPLE I - PROFESSIONAL PRACTICES**

I pledge to maintain practices that protect the public and advance my profession; I will:

- A. Maintain responsible association with USA Volleyball, its national programs and member organizations.
- B. Continue personal and professional growth, remaining current on new developments in the field through continuing education.
- C. Use my knowledge and professional association(s) for the benefit of the people I serve.
- D. Always strive to be truthful and put colleagues or other professionals in a positive light.
- E. Avoid discrimination in all of its forms.

### **PRINCIPLE II - COACH/ATHLETE RELATIONSHIPS**

I pledge to maintain relationships with athletes on a professional basis; I will:

- A. Conduct all my relationships from a perspective of dignity and sound educational and scientific foundation to:
  - 1. Direct comments or criticism relative to the performance, not the athlete.
  - 2. Ensure that all activities are suitable for the age, experience and ability of the athletes.
  - 3. Educate athletes as to their responsibilities in contributing to a safe environment, and to do my best to ensure that all facilities and equipment meet safety standards and that they are age/ability appropriate.
  - 4. Consider the athlete's future health and well being as foremost when making decisions regarding an injured athlete's ability to continue competing or training, and seek professional medical opinions to serve as a basis for my decisions.
  - 5. Be aware of academic responsibilities; conduct practices and match schedules in a manner so as not to unduly interfere with academic



success. Never encourage, condone, or require any behavior that threatens an athlete's high school, USA Volleyball, collegiate eligibility or amateur status.

6. Comply with regulations and ethical guidelines for recruiting practices as defined by governing sport organizations.
7. Strive to develop individual and team respect for the ability of opponents.
8. Prioritize being present at all practices and competitions and, when unable to, assure knowledgeable and safe supervision.

B. Work with and strive to develop every member of the team.

C. Show sensitive regard for the moral, social, religious and sexual orientations of others and communities. I will not impose my beliefs on others.

D. Recognize the trust placed in, and the unique power of, the coach and athlete relationship. I will not exploit the dependency of athletes and will avoid dual relationships (e.g., business or close personal relationships) which could impair my professional judgment, compromise the integrity of the process and/or take advantage of the relationship for my own gain.

E. While serving in a professional capacity or as a role model, avoid any drug, tobacco or alcohol use while in the presence of athletes. I will discourage by way of education any consumption of these substances by minors and will remain at all times within the limits of the law with regard to legal substances. I will avoid illegal ones entirely.

F. Not engage in physical, verbal or emotional harassment, abusive words or actions, or exploitative coercion of current or former athletes. I will report any suspected cases of abuse to the appropriate authorities immediately.

G. Recognize that all forms of sexual abuse, assault or harassment with athletes are illegal and unethical, even when an athlete invites or consents to such behavior or involvement. Sexual abuse and harassment is defined as, but not limited to, repeated comments, gestures or physical contacts of a sexual nature. I will report all suspected cases of sexual assault or abuse to law enforcement as required by law.

### **PRINCIPLE III - CONFIDENTIALITY**

I will respect the integrity and protect the welfare of all persons with whom I am working and pledge to safeguard information about them that has been learned or obtained during the coaching relationship, including performance reviews, statistics and all personal confidences. Further, I will obtain permission from athletes before sharing videotape recordings or other data of them with anyone excepting the recognized coaching staff; when current or former athletes are referred to in a publication, while teaching or in a public presentation that is not laudatory, their identity will be thoroughly disguised. The only exception to this will be that I will not use these standards of confidentiality to avoid intervention when it is necessary (e.g., when there is evidence of physical or psychological abuse of minors, or legal issues).

### **PRINCIPLE IV - STAFF/EMPLOYEE RELATIONSHIPS**

All relationships with employees and staff will be maintained on a professional and confidential basis, and I will avoid exploiting their trust and dependency.

**PRINCIPLE V - PROCESS RELATING TO VIOLATION OF CODE**

I acknowledge that this Ethics Code is administered under the authority of USA Volleyball or other responsible organization and that a violation of this Code subjects me to the processes of USA Volleyball or other such organization required to be provided in the event of disciplinary action.

The following was released in 1995 at the USOC Coaching Symposium. It has been adopted by the USOC for all USOC directly supported functions (Olympics, World University Games, Pan American Games, etc.) and will need to be signed by all coaches participating in events or training on-site at any of the U.S. Olympic Training Centers, including USAV events. This has become the defacto national coaching ethics standard. For more information/feedback, contact USOC Coaching, One Olympic Plaza, Colorado Springs, CO 80909.

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## **COACHES ETHICS CODE INTRODUCTION**

This Ethics Code is intended to provide standards of professional conduct that can be applied by the USOC and its member organizations that choose to adopt them. Whether or not a coach has violated the Ethics Code does not by itself determine whether he or she is legally liable in a court action, whether a contract is enforceable or whether other legal consequences occur. These results are based on legal rather than ethical rules. However, compliance with or violation of the Ethics Code may be admissible as evidence in some legal proceedings, depending on the circumstances.

This Code is intended to provide both the general principles and the decision rules to cover most situations encountered by coaches. It has, as its primary goal, the welfare and protection of the individuals and groups with whom coaches work. This Code also provides a common set of values upon which coaches build their professional work. It is the individual responsibility of each coach to aspire to the highest possible standards of conduct. Coaches respect and protect human and civil rights and do not knowingly participate in or condone unfair discriminatory practices.

### **GENERAL PRINCIPLES PRINCIPLE A: COMPETENCE**

Coaches strive to maintain high standards of excellence in their work. They recognize the boundaries of their particular competencies and the limitations of their expertise. They provide only those services and use only those techniques for which they are qualified by education, training or experience. In those areas in which recognized professional standards do not yet exist, coaches exercise careful judgment and take appropriate precautions to protect the welfare of those with whom they work. They maintain knowledge of relevant scientific and professional information related to the services they render and they recognize the need for ongoing education. Coaches make appropriate use of scientific, professional, technical and administrative resources.

### **PRINCIPLE B: INTEGRITY**

Coaches seek to promote integrity in the practice of coaching. Coaches are honest, fair, and respectful of others. In describing or reporting their qualifications, services, products, or fees, they do not make statements that are false, misleading or deceptive. Coaches strive to be aware of their own belief systems, values, needs and limitations and the effect of these on their work. To the extent feasible, they attempt to clarify for relevant parties the roles they are performing and to function appropriately in accordance with those roles. Coaches avoid improper and potentially harmful dual relationships.

### **PRINCIPLE C: PROFESSIONAL RESPONSIBILITY**

Coaches uphold professional standards of conduct, clarify their professional roles and obligations, accept appropriate responsibility for their behavior and adapt their methods to the needs of different athletes. Coaches consult with, refer to or cooperate with other professionals and institutions to the extent needed to serve the best interest of their athletes or other recipients of their services. Coaches' moral standards and conduct are personal matters to the same degree as is true for any other person, except when coaches' conduct may

compromise their professional responsibilities or reduce the public's trust in the coaching profession and coaches. Coaches are concerned about the ethical compliance of their colleagues' professional conduct. When appropriate, they consult with colleagues in order to prevent or avoid unethical conduct.

**PRINCIPLE D: RESPECT FOR PARTICIPANTS\* AND DIGNITY**

Coaches respect the fundamental rights, dignity and worth of all participants. Coaches are aware of cultural, individual and role differences, including those due to age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language and socioeconomic status. Coaches try to eliminate the effect on their work of biases based on those factors and they do not knowingly participate in or condone unfair discriminatory practices.

\* = Participants: Those taking part in sport (athletes and their family members, coaches, officials, volunteers, administrators and spectators).

**PRINCIPLE E: CONCERN FOR OTHERS' WELFARE**

Coaches seek to contribute to the welfare of those with whom they interact professionally. In their professional actions, coaches consider the welfare and rights of their athletes and other participants. When conflicts occur among coaches' obligations or concerns, they attempt to resolve these conflicts and to perform their roles in a responsible fashion that avoids or minimizes harm. Coaches are sensitive to differences in power between themselves and others and they do not exploit or mislead other people during or after professional relationships.

**PRINCIPLE F: RESPONSIBLE COACHING**

Coaches are aware of their professional responsibilities to the community and the society in which they work and live. They apply and make public their knowledge of sport in order to contribute to human welfare. Coaches try to avoid misuse of their work. Coaches comply with the law and encourage the development of law and policies that serve the interest of sport. They are encouraged to contribute a portion of their professional time for little or no personal advantage.

**ETHICAL STANDARDS**

**1.0 GENERAL STANDARDS**

These General Standards are applicable to the professional activities of all coaches.

**1.01 APPLICABILITY OF THE ETHICS CODE**

While many aspects of personal behavior and private activities seem far removed from official duties of coaching, all coaches should be sensitive to their position as role models for their athletes. Private activities perceived as immoral or illegal can influence the coaching environment and coaches are encouraged to observe the standards of this Ethics Code consistently.

## 1.02 BOUNDARIES OF COMPETENCE

(a) Coaches provide services only within the boundaries of their competence, based on their education, training, supervised experience or appropriate professional experience.

(b) Coaches provide services involving new techniques only after first undertaking appropriate study, training, supervision and/or consultation from persons who are competent in those areas or techniques.

(c) In those emerging areas in which generally recognized standards for preparatory training do not yet exist, coaches nevertheless take reasonable steps to ensure the competence of their work and to protect athletes and other participants from harm.

## 1.03 MAINTAINING EXPERTISE

Coaches maintain a reasonable level of awareness of current scientific and professional information in their fields of activity and undertake ongoing efforts to maintain competence in the skills they use.

## 1.04 BASIS FOR PROFESSIONAL JUDGMENTS

Coaches rely on scientifically and professionally derived knowledge when making professional judgments or when engaging in professional endeavors.

## 1.05 DESCRIBING THE NATURE AND RESULTS OF COACHING SERVICES

When coaches provide services to an individual, a group or an organization, they provide, using language that is reasonably understandable to the recipient of those services, appropriate information beforehand about the nature of such services and appropriate information later about results and conclusions.

## 1.06 RESPECTING OTHERS

Coaches respect the rights of others to hold values, attitudes and opinions that differ from their own.

## 1.07 NONDISCRIMINATION

Coaches do not engage in discrimination based on age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language, socioeconomic status or any basis proscribed by law.

## 1.08 SEXUAL HARASSMENT

(a) Coaches do not engage in sexual harassment. Sexual harassment is sexual solicitation, physical advances or verbal or nonverbal conduct that is sexual in nature and that either:

(1) is unwelcome, is offensive or creates a hostile environment, and the coach knows or is told this;

(2) is sufficiently severe or intense to be abusive to a reasonable person in the context. Sexual harassment can consist of a single intense

or severe act or of multiple persistent or pervasive acts;  
(b) Coaches accord sexual-harassment complainants and respondents dignity and respect. Coaches do not participate in denying an athlete the right to participate based upon their having made, or their being the subject of, sexual harassment charges.

#### 1.09 OTHER HARASSMENT

Coaches do not engage in behavior that is harassing or demeaning to persons with whom they interact in their work based on factors such as those persons' age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language or socioeconomic status.

#### 1.10 PERSONAL PROBLEMS AND CONFLICTS

(a) Coaches recognize that their personal problems and conflicts may interfere with their effectiveness. Accordingly, they refrain from undertaking an activity when they know or should know that their personal problems are likely to lead to harm to athletes or other participants to whom they may owe a professional obligation.

(b) In addition, coaches have an obligation to be alert to signs of, and to obtain assistance for, their personal problems at an early stage, in order to prevent significantly impaired performance.

(c) When coaches become aware of personal problems that may interfere with their performing work-related duties adequately, they take appropriate measures, such as obtaining professional consultation or assistance, and determine whether they should limit, suspend or terminate their work-related duties.

#### 1.11 AVOIDING HARM

Coaches take reasonable steps to avoid harming their athletes or other participants and to minimize harm where it is foreseeable and unavoidable.

#### 1.12 MISUSE OF COACHES' INFLUENCE

Because coaches' professional judgments and actions may affect the lives of others, they are alert to guard against personal, financial, social, organizational or political factors that might lead to misuse of their influence.

#### 1.13 MULTIPLE RELATIONSHIPS

(a) In many communities and situations, it may not be feasible or reasonable for coaches to avoid social or other nonprofessional contacts with athletes and other participants. Coaches must always be sensitive to the potential harmful effects of other contacts on their work and on those persons with whom they deal. A coach refrains from entering into or promising another personal, professional, financial or other relationship with such persons, if it appears likely that such a relationship reasonably might impair the coach's objectivity or otherwise interfere with the coach effectively performing his or her functions as a coach, or might harm or exploit the other party.



(b) Likewise, whenever feasible, a coach refrains from taking on professional obligations when preexisting relationships would create a risk of such harm.

(c) If a coach finds that, due to unforeseen factors, a potentially harmful multiple relationship has arisen, the coach attempts to resolve it with due regard for the best interests of the affected person and maximal compliance with the Ethics Code.

#### 1.14 EXPLOITATIVE RELATIONSHIPS

(a) Coaches do not exploit athletes or other participants over whom they have supervisory, evaluative or other authority.

(b) Coaches do not engage in sexual/romantic relationships with athletes or other participants over whom the coach has evaluative, direct or indirect authority, because such relationships are likely to impair judgment or be exploitative.

#### 1.15 CONSULTATIONS AND REFERRALS

When indicated and professionally appropriate, coaches cooperate with other professionals in order to serve their athletes or other participants effectively and appropriately.

#### 1.16 DELEGATION TO AND SUPERVISION OF SUBORDINATES

(a) Coaches delegate to their employees, supervisors and assistants only those responsibilities that such persons can reasonably be expected to perform competently, on the basis of their education, training or experience, either independently or with the level of supervision being provided.

(b) Coaches provide proper training and supervision to their employees or supervisors and take reasonable steps to see that such persons perform services responsibly, competently and ethically.

#### 1.17 FEES AND FINANCIAL ARRANGEMENTS

(a) As early as is feasible in a professional relationship, the coach and the athlete or other participants reach an agreement specifying the compensation and the billing arrangements.

(b) Coaches do not exploit recipients of services or players with respect to fees.

(c) Coaches' fee practices are consistent with law.

(d) Coaches do not misrepresent their fees.

(e) If limitations to services can be anticipated because of limitations in financing, this is discussed with the athlete or other participant as appropriate.

## **2.0 ADVERTISING AND OTHER PUBLIC STATEMENTS**

### **2.01 DEFINITION OF PUBLIC STATEMENTS**

Coaches comply with the Ethics Code in public statements relating to their professional services, products or publications.

### **2.02 STATEMENTS BY OTHERS**

(a) Coaches who engage others to create or place public statements that promote their professional practice, products or activities retain professional responsibility for such statements.

(b) In addition, coaches make reasonable efforts to prevent others whom they do not control (such as employers, publishers, sponsors, organizational clients and representatives of the print or broadcast media) from making deceptive statements concerning the coach or his/her professional activities.

(c) If coaches learn of deceptive statements about their work made by others, coaches make reasonable efforts to correct such statements.

(d) Coaches do not compensate members of press, radio, television or other communication media in return for publicity in a news item.

(e) A paid advertisement relating to the coach's activities must be identified as such, unless it is already apparent from the context.

### **2.03 AVOIDANCE OF FALSE OR DECEPTIVE STATEMENTS**

Coaches do not make public statements that are false, deceptive, misleading, or fraudulent, either because of what they state, convey or suggest or because of what they omit, concerning their work activities or those of persons or organizations with which they are affiliated. As examples (and not in limitation) of this standard, coaches do not make false or deceptive statements concerning:

- (1) their training, experience, or competence;
- (2) their academic degrees;
- (3) their credentials;
- (4) their institutional or association affiliations;
- (5) their services;
- (6) the basis for, or results or degree of success of their services; or
- (7) their fees.

### **2.04 MEDIA PRESENTATIONS**

When coaches provide advice or comment by means of public lectures, demonstrations, radio or television programs, prerecorded tapes, printed articles, mailed material or other media, they take reasonable precautions to ensure that the statements are consistent with this Ethics Code.

### **2.05 TESTIMONIALS**

Coaches do not solicit testimonials from current athletes or other participants who, because of their particular circumstances, are vulnerable to undue influence.

### **2.06 RECRUITING**

Coaches do not engage, directly or through agents, in uninvited in-person solicitation of business from actual or potential athletes or other participants who, because of their particular circumstances, are vulnerable to undue influence. However, this does not preclude recruiting athletes deemed eligible by appropriate governing bodies.

### **3.0 TRAINING ATHLETES**

#### **3.01 STRUCTURING THE RELATIONSHIP**

- (a) Coaches discuss with athletes as early as is feasible appropriate issues, such as the nature and anticipated course of training, fees and confidentiality.
- (b) When the coach's work with athletes will be supervised, the above discussion includes that fact and the name of the supervisor.
- (c) When the coach is uncertified, the athlete is informed of that fact.
- (d) Coaches make reasonable efforts to answer athletes' questions and to avoid apparent misunderstandings about training. Whenever possible, coaches provide oral and/or written information, using language that is reasonably understandable to the athlete.

#### **3.02 FAMILY RELATIONSHIPS**

- (a) When a coach agrees to provide services to several persons who have a relationship (such as parents and children), the coach attempts to clarify at the outset
  - (1) which of the individuals are athletes; and
  - (2) the relationship the coach will have with each person. This clarification includes the role of the coach and the probable uses of the services provided.
- (b) As soon as it becomes apparent that the coach may be called on to perform potentially conflicting roles (such as intermediary between parents and children or sibling teammates), the coach attempts to clarify and adjust, or withdraw from roles, appropriately.

#### **3.03 PROVIDING COACHING SERVICES TO THOSE SERVED BY OTHERS**

In deciding whether to offer or provide services to those already receiving coaching services elsewhere, coaches carefully consider the potential athlete's welfare. The coach discusses these issues with the athlete or another legally authorized person on behalf of the athlete, in order to minimize the risk of confusion and conflict.

#### **3.04 SEXUAL INTIMACIES WITH CURRENT ATHLETES**

Coaches do not engage in sexual intimacies with current athletes.

#### **3.05 COACHING FORMER SEXUAL PARTNERS**

Coaches do not coach athletes with whom they have engaged in sexual intimacies.

#### **3.06 SEXUAL INTIMACIES WITH FORMER ATHLETES**

(a) Coaches should not engage in sexual intimacies with a former athlete for at least two years after cessation or termination of professional services.

(b) Because sexual intimacies with a former athlete are so frequently harmful to the athlete, and because such intimacies undermine public confidence in the coaching profession and thereby deter the public's use of needed services, coaches do not engage in sexual intimacies with former athletes even after a two-year interval except in the most unusual circumstances. The coach who engages in such activity after the two years following cessation or termination of the coach-athlete relationship bears the burden of demonstrating that there has been no exploitation, in light of all relevant factors, including:

- (1) the amount of time that has passed since the coach-athlete relationship terminated;
- (2) the circumstances of termination;
- (3) the athlete's personal history;
- (4) the athlete's current mental status;
- (5) the likelihood of adverse impact on the athlete and others; and
- (6) any statements or actions made by the coach during the course of the athlete-coach relationship suggesting or inviting the possibility of a post-termination sexual or romantic relationship with the athlete or coach.

### 3.07 DRUG-FREE SPORT

(a) Coaches do not tolerate the use of performance enhancing drugs and support athletes' efforts to be drug-free.

### 3.08 ALCOHOL AND TOBACCO

(a) Coaches discourage the use of alcohol and tobacco in conjunction with athletic events or victory celebrations at playing sites and forbid use of alcohol by minors.

(b) Coaches refrain from tobacco and alcohol use while they are coaching and make every effort to avoid their use while in the presence of their athletes.

### 3.09 INTERRUPTION OF SERVICES

(a) Coaches make reasonable efforts to plan for training in the event that coaching services are interrupted by factors such as the coach's illness, death, unavailability or relocation or by the client's relocation or financial limitations.

(b) When entering into employment or contractual relationships, coaches provide for orderly and appropriate resolution of responsibility for athlete training in the event that the employment or contractual relationship ends, with paramount consideration given to the welfare of the athlete.

### 3.10 TERMINATING THE PROFESSIONAL RELATIONSHIP

(a) Coaches terminate a professional relationship when it becomes reasonably clear that the athlete no longer needs the service, is not benefiting or is being harmed by continued service.

(b) Prior to termination, for whatever reason, except where precluded by the athlete's conduct, the coach discusses the athlete's views and needs, provides appropriate pre-termination counseling, suggests alternative service providers as appropriate and takes other reasonable steps to facilitate transfer of responsibility to another provider if the athlete needs one immediately.

## **4.0 TRAINING SUPERVISION**

### **4.01 DESIGN OF TRAINING PROGRAMS**

Coaches who are responsible for training programs for other coaches seek to ensure that the programs are competently designed, provide the proper experiences and meet the requirements for certification or other goals for which claims are made by the program.

### **4.02 DESCRIPTIONS OF TRAINING PROGRAMS**

(a) Coaches responsible for training programs for other coaches seek to ensure that there is a current and accurate description of the program content, training goals and objectives, and requirements that must be met for satisfactory completion of the program. This information must be readily available to all interested parties.

(b) Coaches seek to ensure that statements concerning their training programs are accurate and not misleading.

### **4.03 ACCURACY AND OBJECTIVITY IN COACHING**

(a) When engaged in coaching, coaches present information accurately and with a reasonable degree of objectivity.

(b) When engaged in coaching, coaches recognize the power they hold over athletes and therefore make reasonable efforts to avoid engaging in conduct that is personally demeaning to athletes and other participants.

### **4.04 ASSESSING ATHLETE PERFORMANCE**

(a) In coach-athlete relationships, coaches establish an appropriate process for providing feedback to athletes.

(b) Coaches evaluate athletes on the basis of their actual performance on relevant and established program requirements.

### **4.05 HONORING COMMITMENTS**

Coaches take reasonable measures to honor all commitments they have made to athletes.

## **5.0 TEAM SELECTION**

(a) Coaches perform evaluations or team selection only within the context of a defined professional relationship.

(b) Coaches' assessments, recommendations, reports, and evaluative state-

ments used to select team members are based on information and techniques sufficient to provide appropriate substantiation for their findings.

## **6.0 RESOLVING ETHICAL ISSUES**

### **6.01 FAMILIARITY WITH ETHICS CODE**

Coaches have an obligation to be familiar with this Ethics Code, other applicable ethics codes, and their application to the coaches' work. Lack of awareness or misunderstanding of an ethical standard is not itself a defense to a charge of unethical conduct.

### **6.02 CONFRONTING ETHICAL ISSUES**

When a coach is uncertain whether a particular situation or course of action would violate the Ethics Code, the coach ordinarily consults with other coaches knowledgeable about ethical issues, with NGB or USOC ethics committees, or with other appropriate authorities in order to choose a proper response.

### **6.03 CONFLICTS BETWEEN ETHICS AND ORGANIZATIONAL DEMANDS**

If the demands of an organization with which coaches are affiliated conflict with this Ethics Code, coaches clarify the nature of the conflict, make known their commitment to the Ethics Code, and to the extent feasible, seek to resolve the conflict in a way that permits the fullest adherence to the Ethics Code.

### **6.04 INFORMAL RESOLUTION OF ETHICAL VIOLATIONS**

When coaches believe that there may have been an ethical violation by another coach, they attempt to resolve the issue by bringing it to the attention of that individual if an informal resolution appears appropriate and when intervention does not violate any athlete rights that may be involved.

### **6.05 REPORTING ETHICAL VIOLATIONS**

If an apparent ethical violation is not appropriate for informal resolution under Standard 6.04 or is not resolved properly in that fashion, coaches take further action appropriate to the situation, unless such action conflicts with athlete rights in ways that cannot be resolved. Such action might include referral to NGB or USOC committees on professional ethics.

### **6.06 COOPERATING WITH ETHICS COMMITTEES**

Coaches cooperate in ethics investigations, proceedings and resulting requirements of the USOC and any NGB to which they belong. Failure to cooperate is itself an ethics violation.

### **6.07 IMPROPER COMPLAINTS**

Coaches do not file or encourage the filing of ethics complaints that are frivolous and are intended to harm the respondent rather than to protect the public.

## **7.0 PROCESS RELATING TO VIOLATION OF CODE**

7.01 The coach acknowledges that this Ethics Code is administered under the authority of the NGB or other responsible organization and that a violation of this Code subjects the coach to the processes of the NGB or other such organization required to be provided in the event of disciplinary action. The NGB or other such organization acknowledges that all violations of the Ethics Code will be reviewed for possible disciplinary action and it will provide a written report to the USOC on all reviews and actions.

7.02 In the event that a violation of the Ethics Code occurs during an authorized U.S. Olympic Training Center activity, USOC may, as landlord of the facility, take action separate and independent from that of the NGB or member of the USOC in order to protect its interests and those of athletes, coaches and others at the location.

7.03 Any action taken by an NGB or member of the USOC which affects the opportunity of a coach to participate in "protected" competition as defined in the USOC Constitution shall be entitled to processes assured under the USOC Constitution and the Amateur Sports Act of 1978. This includes process within the NGB, the USOC and the American Arbitration Association.

7.04 If the violation of the Ethics Code occurs while a member of a USOC team or event, the coach and NGB acknowledge that the USOC may institute its own proceeding regarding the violation, which action shall not restrict the ability or obligation of the NGB to take its own separate and independent action.

7.05 In the event that a coach is found to have violated the Ethics Code, such action is separate and apart from any other legal consequences which may occur as a result of the act.

## **ACKNOWLEDGMENTS**

This Coaching Code of Ethics is the result of the work of many people and committees. The approach, structure, and contents of this code were inspired by the Ethical Principles of Psychologists and Code of Conduct, December 1992 (American Psychological Association, Vol. 47, No. 12, 1597-1611). Many of the ideas for ethical standards were drawn from numerous other codes. The most significant of these were developed by the Coaching Association of Canada, The British Institute of Sport Coaches, and the NCAA. In particular, the USOC would like to thank the following individuals who were involved with this committee during the 1993-1996 quadrennium:

USOC Coaching Committee, Ray Essick, Chair

USOC Ethics Oversight Committee, Harry Groves, Chair

USOC Games Preparation and Services Committee, Joe Kearney, Chair

USOC Training Centers Committee, Mike Jacki, Chair

USOC Vice President Michael B. Lenard

USOC General Counsel Ronald T. Rowan

## OTHER POLICIES OF USA VOLLEYBALL

### A. ATHLETES' RIGHTS AS PUBLISHED BY THE UNITED STATES OLYMPIC COMMITTEE

Reference Section 9 of the United States Olympic Committee Bylaws (available on [www.teamusa.org](http://www.teamusa.org)).

### B. USAV PARTICIPANT CODE OF CONDUCT

In consideration of the rights granted to me by my membership with a USAV Regional Volleyball Association (RVA), I consent to abide by the rules of conduct set forth herein, while I am a member of the RVA. I understand that these rules extend to my conduct in activities related to, and during any USAV/RVA-sanctioned event in which I participate. This includes all events or activities sanctioned or sponsored by the RVAs or the USAV, practices, travel to and from events, volleyball camps, players' clinics and officials' clinics. I also understand that if I violate any of the following rules, I might be subject to whatever disciplinary action is deemed appropriate by the authorized person, persons, Boards or committees of the RVAs or USAV.

#### THE FOLLOWING ACTIONS ARE PROHIBITED:

1. Violation of any anti-doping policies, protocols or procedures as defined by the International Olympic Committee (IOC), World Anti-Doping Agency (WADA), Federation Internationale de Volleyball (FIVB), U.S. Anti-Doping Agency (USADA) or the United States Olympic Committee (USOC). Violations of this provision will be adjudicated only by USADA or the proper anti-doping authority, not USA Volleyball (USAV).
2. Possession, consumption or distribution of alcohol and/or tobacco if illegal or in violation of Regional Volleyball Association (RVA) or USA Volleyball (USAV) policy.
3. USAV policy prohibits the possession, consumption or distribution of alcohol and/or tobacco by anyone registered as a junior volleyball player at the event venue of any USAV-sanctioned junior event.
4. Use of a recognized identification card by anyone other than the individual described on the card.
5. Physical damage to a facility or theft of items from a room, dormitory, residence or other person. (Restitution will be part of any penalty imposed.)
6. Possession of fireworks, ammunition, firearms or other weapons or any item or material which by commonly accepted practices and principles would be a hazard or harmful to other persons at RVA/USAV-sanctioned events.
7. Any action considered to be an offense under federal, state or local law ordinances.
8. Violation of the specific policies, regulations, and/or procedures of the RVA, USAV or the facility used in conjunction with a sanctioned event. (It is the responsibility of the individual to be familiar with applicable specific policies, regulations and procedures.)
9. Conduct which is inappropriate as determined by comparison to normally accepted behavior.
10. Physical or verbal intimidation of any individual.
11. Actions that will be detrimental to USAV or the RVA.



## C. USAV DRUG TESTING POLICY

For a copy of the USADA Drug Testing Protocol and List of Banned Substances, contact the USA Volleyball National Office at 4065 Sinton Road, Suite 200, Colorado Springs, CO 80907, call (719) 228-6800 or visit the USADA Web site at [www.usantidoping.org](http://www.usantidoping.org).

### HOW TO OBTAIN USAV APPROVAL OF VOLLEYBALLS

- 1. APPLICATIONS:** Requests in writing for application forms should be made to:
- Secretary General
  - USA Volleyball
  - 4065 Sinton Road, Suite 200
  - Colorado Springs, CO 80907

Applicants must agree to all provisions of the application, which must be signed by a properly authorized representative of the manufacturer and must be accompanied by the proper amount of fee specified on the application.

- 2. APPROVALS:** USAV approval will be granted to volleyballs meeting the USAV minimum standards. Approvals granted by USAV are based on the performance and serviceable qualities and do not relate in any manner to safety. No liability is implied or assumed by USAV or its testing personnel in the testing and granting of USAV approvals.

- 3. PUBLIC NOTIFICATION:** All currently approved volleyballs will be listed by name, model and other specific identification in the USAV *Official Guide* each year. The expiration date of each approval will appear opposite each listing.

- 4. RENEWALS:** USAV-approved volleyballs should be resubmitted with application and fees not less than one year prior to expiration of the approval if continuous uninterrupted approvals are desired by the manufacturers. (Attention is invited to the lapse of one year without authorized USAV approval that will occur if a manufacturer waits until the date of the expiration of USAV approval to submit a renewal application. Nine to 12 months are required for testing.)

## USAV APPROVED VOLLEYBALLS

In compliance with paragraph 3 of “**How to Obtain USAV Approval of Volleyballs**,” the following is a list of “**USAV APPROVED**” volleyballs.

<b>Volleyball</b>	<b>Expiration Date</b>	<b>Manufacturer</b>
Mikasa VFC 200 White Mikasa VFC 250 Mikasa VQ2000	December 31, 2015	Mikasa Sports 1821 Kettering Street Irvine, CA 92714
Molten IV58L-3 Super Touch Molten V58L-3N Pro Touch Molten IVL58L-3 Soft Touch Molten VBU12-3 Molten V210 First Touch Molten V140 First Touch Molten V70 First Touch Molten MS-500-3 Camp Ball	December 31, 2016	Molten USA 1170 Trademark Drive Suite 109 Reno, NV 89521
Wilson i-COR Competition WTH7710 WHI Wilson i-COR Power Touch WTH7720 WHI WTH7720 RWB WTH7720 BLA WTH7720 GRN WTH7720 NAV WTH7720 ORG WTH7720 PUR WTH7720 ROY WTH7720 SCA WTH7720 YWB Wilson i-COR High Performance WTH7700 WHI WTH7700 BLSI WTH7700 RWB WTH7700 PNK	December 31, 2015	Wilson Sporting Goods Co. 8700 W. Bryn Mawr Ave. Chicago, IL 60631