**NWBA Bylaws Amendment Proposal Form**

**Proposed Amendments must be submitted in writing to the Executive Director and the chair of the Governance Committee at least sixty (60) days preceding the Annual Assembly (Sunday, April 25, 2021).**

**ARTICLE FIFTEEN:** USOPC National Governing Body Status

**Proposed By:** NWBA Management/Staff

**Summary of Proposed Change:** Update NWBA Bylaws to outline commitment to NGB status with the USOPC; eliminates antiquated language on Paralympic Sport Organization. NWBA continues to seek PSO status but under new requirements outlined in PSO process, which are not required to be in Bylaws.

**Current Bylaw:** Current wording is included in the proposal section below.

**Proposed Bylaw:** Proposed changes are marked below with the track changes function (deletions have a strikethrough and additions are underlined).

USOPC National Governing Body Status

 **Section 15.1:**

NWBA shall seek and attempt to maintain certification by the United States Olympic & Paralympic Committee (the “USOPC”) as a National Governing Body (“NGB”) for the sport of wheelchair basketball in the United States.  In furtherance of that purpose, NWBA shall comply with the requirements for certification as an NGB as set forth in the Ted Stevens Olympic and Amateur Sports Act (36 U.S.C. Sections 220501-220543) and as mandated by the USOPC as such requirements are promulgated or revised from time to time.  In fulfilling those requirements NWBA shall ensure compliance with the requirements outlined in Section 8 of the USOPC Bylaws.

**~~Recognition as Paralympic Sport Organization~~**

**~~Section 15.1: Recognition as a Paralympic Sport Organization.~~**

~~The NWBA shall seek and attempt to maintain recognition by the United States Olympic Committee as the Paralympic Sport Organization for the sport of wheelchair basketball in the United States.~~

~~In furtherance of that purpose, the NWBA shall comply with the requirements for recognition as a Paralympic Sport Organization as set forth in the Ted Stevens~~

~~Paralympic and Amateur Sports Act, 36 U.S.C. § 220501 et seq. and as mandated by the United States Olympic Committee as such requirements are promulgated or revised from time to time.~~

~~In fulfilling those requirements, the NWBA shall:~~

1. ~~be a member of only one (1) international sports federation, which is recognized by the International Paralympic Committee as the worldwide governing body for the sport of wheelchair basketball;~~

1. ~~be autonomous in the governance of the sport of wheelchair basketball by independently determining and controlling all matters central to such governance, by not delegating any of that determination or control, and by being free from outside restraint;~~

1. ~~maintain the managerial and financial competence and capability to establish national goals for wheelchair basketball relating to the development and wellbeing of the sport, to implement and administer a plan for the attainment of those goals, and to execute its obligations as the Paralympic Sport Organization for the sport of wheelchair basketball;~~

1. ~~provide for individual and organizational membership;~~

1. ~~ensure that its Board of Directors, and any other governance body, has established criteria and election procedures for, and maintains among its voting members, individuals who are actively engaged in athletic competition in wheelchair basketball within the preceding five (5) years, and ensures that the membership and voting power held by those individuals is not less than twenty (20) percent of the voting power held in its Board of Directors;~~

1. ~~provide for reasonable direct representation on its Board of Directors for any amateur sports organization which, in the sport of wheelchair basketball, conducts on a level of proficiency appropriate for selection of amateur athletes to represent the United States in international amateur athletic competition, a national program, or regular national amateur athletic competition, and ensure that representation reflects the nature, scope, quality, and strength of the programs and competitions of that amateur sports organization in relation to all other of those programs and competitions in the sport of wheelchair basketball in the United States;~~

1. ~~be governed by a diverse Board of Directors whose members are selected without regard to disability, race, color, religion, national origin, sex or sexual orientation, with reasonable representation on the Board of both males and females;~~

1. ~~provide an equal opportunity to amateur athletes, coaches, trainers, managers, administrators, and officials to participate in wheelchair basketball competitions without discrimination on the basis of disability, race, color, religion, age, sex, national origin, or sexual orientation;~~

1. ~~not have an officer who is also an officer of another amateur sports organization that is recognized by the USOC as a National Governing Body;~~

1. ~~provide procedures for the prompt and equitable resolution of grievances of its members;~~

1. ~~provide fair notice and an opportunity for a hearing to any amateur athlete, coach, trainer, manager, administrator, or official before declaring such individual ineligible to participate;~~

1. ~~agree to submit to binding arbitration in any controversy involving: (i) its recognition as a Paralympic Sport Organization, or (ii) the opportunity of any amateur athlete, coach, trainer, manager, administrator, or official to participate in amateur athletic competition in wheelchair basketball, upon demand of the USOC or any aggrieved amateur athlete, coach, trainer, manager, administrator, or official, conducted in accordance with the Commercial Rules of the American Arbitration Association or as modified pursuant to the Ted Stevens Paralympic and Amateur Sports Act;~~

1. ~~perform all other obligations and duties imposed by the Ted Stevens Paralympic and Amateur Sports Act and by the USOC on a Paralympic Sport Organization.~~

**Rationale for Change:** The Paralympic Sport Organization, though an important designation that we are also pursuing, has requirements that are different than what is outlined in this document. The content would be too voluminous to include in our Bylaws, nor is it required.

**Submit to:**

Via Email to both:

Will Waller, NWBA Executive Director: will@nwba.org AND Tim Fox, interim Chair of the Governance Committee: timfox@nwba.org

OR

Via Postal Mail:

NWBA, 1130 Elkton Dr., Suite A, Colorado Springs, CO 80907