

USA Deaf Volleyball Bylaws

USA DEAF VOLLEYBALL BYLAWS

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ARTICLE I. DEFINITIONS As used in these Bylaws the term

- 1.1 "USADVB" refers to the USA Deaf Volleyball;
- 1.2 "USAV" refers to the USA Volleyball, this association is a nonprofit organization and the national governing body for men's and women's volleyball in the United States;
- 1.3 "USADSF" refers to the United States of America Deaf Sports Federation;
- 1.4 "USOC" refers to the United States Olympic Committee;
- 1.5 "NGB" refers to any national governing body which is an amateur sports organization recognized by the USOPC in accordance of the USOPC Bylaws;
- 1.6 "USOPC" refers to the United States Olympic & Paralympic Committee;
- 1.7 "ICSD" refers to the International Committee of Sports for the Deaf;
- 1.8 "IOC" refers to the International Olympic Committee;
- 1.9 "PANAMDES" refers to the Pan American Deaf Sports Organization, a confederation of national Olympic committees from the Americas;
- 1.10 "WDVBC" refers to the World Deaf Volleyball Championships;
- 1.11 "FIVB" refers to the Federation Internationale de Volleyball, which is the international federation for the disciplines of volleyball, beach volleyball and snow volleyball;
- 1.12 "Organization" refers to USA Deaf Volleyball;
- 1.13 "Athlete Representative" means an Athlete, either current or a veteran, who qualifies as having 4 years experience and completes in at least one Deaflympic cycle by the time of their candidacy for election.

ARTICLE II. NAME

- 2.1 The name of this organization, incorporated in the State of Maryland, shall be USA Deaf Volleyball ("USADVB"). The Organization succeeds without interruption to all assets, purposes, and activities of the USA Deaf Sports Federation ("USADSF"), a New Mexico corporation and the USA Volleyball ("USAV"), a United States Olympic Committee National Governing Body in volleyball.
- 2.2 Jurisdiction. The Corporation shall enforce and comply with all rules and regulations of the USADSF, ICSD, IOC, FIVB, and the PANAMDES. Pursuant to the authority granted by the USADSF, ICSD, IOC, FIVB, and the PANAMDES, the Corporation shall have exclusive

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jurisdiction to nominate individuals who will represent the United States in the Deaflympics Games, the Pan American 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 USADSF, ICSD, IOC, FIVB, or the PANAMDES, as relevant.

ARTICLE III. PURPOSE

3.1 The purpose of USADVB is to act as the national governing body for the sport of volleyball in the United States for Deaf and Hard of Hearing athletes with a hearing loss of 55 decibels or greater in the better ear and in such connection, to be recognized as such by USADVB.

3.2 USADVB shall be a private nonprofit, nonsectarian, and nonpartisan organization without statutory members. Its mission is to support athletes with preparation and participation in national and international games for the deaf.

3.3 Periodically inform USAV, USADSF, and ICSD active in the sport of volleyball of policy matters and reasonably reflect the views of such athletes in the policy decisions of USA Deaf Volleyball.

3.4 Provide equitable support and encouragement for participation by men and women in the sport of volleyball.

3.5 Provide development of Youth volleyball programs. Provide a leadership role such as a Youth Director to contribute across several areas of the Youth Volleyball Programs.

3.6 Be committed to equal opportunity and fair treatment by providing to all applicants for coaching positions and to staff members without regard to race, color, religion, sex, national origin, age, physical handicap, sexual orientation or marital status, and shall actively involve qualified minorities and women, and similarly encourage its constituents towards such involvement, to occupy positions at all levels of USA Deaf Volleyball.

ARTICLE IV. MEMBER

4.1 USA Deaf Volleyball members shall consist of mutually exclusive geographic areas of the United States and its possessions, the membership of which is open to any deaf and hard of hearing athletes; deaf, hard of hearing, or hearing coach, trainer, manager, administrator, official or other individual residing within the geographic area of USA Deaf Volleyball.

4.2 Dues: Members recognized by USA Deaf Volleyball shall, at or before each annual event of USA Deaf Volleyball, pay annual membership fees as determined by USA Deaf Volleyball. In order to be eligible for consideration for international events, an International Team, or a United States Team; the member must be in good financial standing.

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ARTICLE V. AUTHORITY

5.1 Represent the United States in USADSF/ICSD.

5.2 Recommend to the USA Deaf Volleyball individuals and teams to represent the United States under USADSF in the Deaflympics Games, PANAMDES, AND WDVBC.

ARTICLE VI. CONFLICT OF INTEREST AND ETHICAL PRACTICES

6.1 If any officer, member of the Executive Board, or any other Committee, has a financial interest in any contract or transaction involving the USA Deaf Volleyball, such individual shall not participate in the USA Deaf Volleyball's evaluation or approval of such contract or transaction unless the material facts of the relationship or interest are disclosed or known to the other Directors. If such disclosure is made, the contract or transaction shall not be voidable if the Board in good faith authorized the contract or transaction by the affirmative vote of the majority of the disinterested Directors and the contract or transaction is fair to the USA Deaf Volleyball at the time it is authorized.

ARTICLE VII. VOTING

7.1 The Executive Director/Board President and the Board shall oversee all elections and balloting of USA Deaf Volleyball.

7.2 At Board meetings all members present will have one vote each. The Executive Director/Board President, being a non-voting member of the Executive Board, shall only vote in case of a tie.

ARTICLE VIII. EXECUTIVE BOARD

8.1 The Board shall be a policy-making Board vested with the governance of USA Deaf Volleyball. Board members shall be accountable and responsible for: (a) creating and revising bylaws as needed; (b) creating and revising as needed policies in conjunction with approving guidelines and objectives; (c) maintaining a professional working relationship with United States of America Deaf Volleyball (USADVB); (d) performing fiduciary duties in overseeing the fiscal resources of USA Deaf Volleyball; (e) establishing and overseeing fundraisers.

8.2 Executive Board Function. The Executive Board shall oversee the management of USA Deaf Volleyball and its affairs, focusing on long-term objectives and impacts rather than on day-to-day management. The Executive Board shall work closely with the Executive Director/Board President to diligently oversee USA Deaf Volleyball operations and empower Program Directors and Coordinators to manage a staff-driven organization. The Board shall exercise direction and supervise the selection of qualified and professional Program Directors and Coordinators.

8.3 The Executive Board of USA Deaf Volleyball shall consist of the following: the Executive Director/Board President, Indoor Program Director, Beach Program Director, Youth Program Coordinator, Assistant Youth Program Coordinator, an Athlete Representative the Finance

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Coordinator, and may consist of At-Large Members to serve a term of 4 years each or until their successor has been elected, and shall have no limitation to the number of terms, elections shall be held within one year of the conclusion of the Deaflympics. There shall be no order of succession to any office. In the event an officer resigns or is unable to serve, a committee shall be named by the Board to name a successor for the unexpired portion of the departed officer's term.

8.4 Duties of the Executive Director/Board President. The Executive Director/Board President shall preside at all Board meetings and shall enforce the provisions, objectives, and purpose thereof. The Executive Director/Board President shall serve as the spokesperson of the organization, only on Board approved matters. The Executive Director/Board President also serves as Board President.

1. The Executive Director/Board President shall appoint members of the Board to be chairpersons for committees with the exception of the finance committee (chaired by the Treasurer.)
2. The Executive Director/Board President shall represent USA Deaf Volleyball at USADSF related meetings.
 - a. Representation at each International event must be approved by the Board.
 - b. If the Executive Director/Board President cannot attend an International event, the other Director of USA Deaf Volleyball shall be appointed by the Board.
3. In addition, the Executive Director/Board President may establish ad hoc committees for special purposes.

8.5 Indoor Program Director Duties. The Indoor Program Director shall coordinate & manage both the women and men national teams, logistics, fundraising, oversee the recruitment of any prospective athletes. Work with the men's head coach to coordinate tryouts, training camps, and tournaments. Work closely with USADVB Executive Director/Board President to represent USADVB at all domestic and international events.

8.6 Beach Program Director Duties. The Beach Program Coordinator shall coordinate & manage both men's and women's national beach teams, logistics, fundraising, and oversee the recruitment of any prospective athletes. Work closely with USADVB Executive Director/Board President to represent USADVB at all domestic and international beach events.

8.7 Youth Program Coordinator Duties. The Youth Coordinator shall be responsible for all correspondence regarding youth programs. The Youth Coordinator shall operate youth camps for boys and girls, subject to approval of USA Deaf Volleyball Executive Board. The Youth Coordinator shall oversee the annual youth volleyball camps. The Youth Coordinator shall coordinate and implement the youth volleyball programs including U18 and any youth international events.

8.8 Assistant Youth Program Coordinator Duties. The Assistant Youth Program Coordinator will assist the Youth Coordinator in all activities mentioned in Section 8.7.

8.9 Finance Coordinator Duties. The Finance Coordinator shall serve as the Chairperson of

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the Finance Committee and present and distribute quarterly financial status reports, which includes the (1) Statement of Financial Position, (2) Statement of Activities, and (3) Budget vs. Actuals to the Board. The Finance Coordinator shall make recommendations to the Board for approval of a CPA audit committee. It is the responsibility of the Finance Coordinator to ensure that income tax returns are filed on time and to file an annual information return (Form 990 or Form 990-EZ). Copies of the CPA Financial Audit report shall be distributed to the board during the fall board meeting. The Finance Coordinator shall ensure compliance with USADSF bylaws related to financial reporting and annually furnish copies of IRS Form 990, USADVB budget, and audited financial statements to USADSF.

8.10 Public Relations Coordinator Duties. The Public Relations Coordinator will develop and maintain media contacts such as the newspaper/local news and VIPs. This role will also serve as our communications liaison between our organization and other contacts setting up a dialogue or scheduling or planning and will develop ongoing documents to support our endeavors including grants and sponsorships. The Public Relations Coordinator will be responsible for creating and maintaining our social media's contents as well as our marketing products.

8.11 The purpose of the Athlete Representative is to represent fellow athletes in decision-making within the USADVB organization. An athlete representative is appointed by the USADVB Board. The Athlete Representative's duties and responsibilities are to ensure that the voice of athletes is represented in a collaborative, professional, and effective manner and that athletes' viewpoints remain at the center of the organization's decision making process and the broader USADVB vision. They play a critical role as a conduit between their fellow athletes and the organization's leadership. The Athlete Representative will develop and grow interest and participation in USADVB, foster belonging and inclusion among athletes and USADVB organization members, and lead and mentor the other athletes. The Athlete Representative will attend scheduled Board meetings in which they have been invited, share updates during the meetings, and advocate for the needs of the other athletes.

ARTICLE IX. SAFESPORT

As a member of the National Sports Organization of the United States Deaf Sports Federation, USA Deaf Volleyball is required to adhere to the safe sport rules and regulations of the USADSF. Additionally, USADSF Bylaws states that, as a condition of membership in the USADSF, each NSO shall comply with the policies and procedures of the independent safe sport organization designated by the USOPC to investigate and resolve safe sport violations. The USOPC has designated the U.S. Center for SafeSport as that organization. The current safe sport rules are available at the offices of USA Volleyball or online at the following website: <https://safesport.org/>.

As a condition of registration in USA Deaf Volleyball and a condition for participation in any competition or event sanctioned by USA Deaf Volleyball, each USA Deaf Volleyball member, to include but not limited to coach, trainer, agent, athlete support personnel, medical or paramedical personnel, team staff, official and other person who participates in USA Deaf Volleyball or USA Deaf Volleyball events (whether or not a USA Deaf Volleyball member), agrees to comply with and be bound by the safe sport rules of the U.S. Center

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for SafeSport and to submit, without reservation or condition, to the jurisdiction and rules of the U.S. Center for SafeSport for the investigation and resolution of any alleged violations of those rules, as such rules may be amended from time to time. To the extent any USA Deaf Volleyball rule is inconsistent with the rules of the U.S. Center for SafeSport, such rule is hereby superseded. No individual who is a member of USA Deaf Volleyball may assist anyone in obtaining a new position in USA Deaf Volleyball if the individual knows that the member or former member a) violated the policies or procedures of the U.S. Center for SafeSport related to sexual misconduct; and/or b) was convicted of a crime involving sexual misconduct with a minor in violation of applicable law or the policies and procedures of the U.S. Center for SafeSport

ARTICLE X. MEETINGS

10.1 Regular meetings of the Board shall be held at least eight times a year in a video conference. A simple majority of the Board members present shall constitute a quorum.

10.2 Special Meetings may be called by the Executive Director/Board President or a majority of the Board members. The call for a special meeting shall be given at short notice in advance by written notice which shall state the purpose of the meeting. Video conferences shall be used for special meetings.

10.3 Meeting Agendas. It shall be the responsibility of the one of directors to distribute agendas for any type of meeting mentioned above. For regular Board meetings, agendas shall be distributed at least 48 hours in advance. For special meetings agendas shall be distributed at least one day in advance.

ARTICLE XI. ELIGIBILITY OF AMATEUR ATHLETES

11.1 Opportunity to Participate. This USA Deaf Volleyball shall provide an equal opportunity to Amateur Athletes, coaches, trainers, managers, administrators, and officials to participate in Amateur Athletic Competition without discrimination on the basis of race, color, religion, age, sex, or national origin. For amateur athletes to be eligible for participation in international competitions for the deaf and hard of hearing, amateur athletes must have a hearing loss of 55 decibels (dB) or greater in the better ear.

11.2 Notice. Before declaring any Amateur Athlete, coach, trainer, manager, administrator or official ineligible to participate in any Amateur Athletic Competition, USA Deaf Volleyball shall provide the affected individual with written notice of ineligibility and of the individual's right to a hearing on the matter.

11.3 Hearing. Unless the Chairperson determines that a hearing before the Executive Board would result in unnecessary delay, the hearing shall be held before the Board at its next scheduled meeting. The affected individual shall be notified of the time and place of the hearing, his/her right to appear personally, and his/her right to present evidence and argument relating to his or her eligibility. The USA Deaf Volleyball shall also have the right to present evidence and argument at the hearing, either through the Program Director or his/her designee. The hearing shall be informal, with all parties being given reasonable opportunity to examine the pertinent evidence and to exchange views. Otherwise, this USA

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Deaf Volleyball shall keep minutes of the hearing. Soon after the hearing, the Executive Board shall render its written decision, citing the principal grounds therefore, and a copy thereof shall be provided to the affected individual. There shall be no right of an appeal within the USA Deaf Volleyball from a decision of the Board.

11.4 Expedited Hearing Schedule. If the Chairperson determines that a hearing before the Executive Board would result in unnecessary delay, he/she shall promptly appoint, from among the members of the Board, a disinterested hearing officer to conduct the initial eligibility hearing. The same hearing procedure set forth in Section 11.3 shall apply to a hearing before the hearing officer, except that the hearing officer shall keep the minutes of the hearing. If the decision of the hearing officer is adverse to the affected individual, the individual shall have the right to appeal to the Board at its next scheduling meeting. Such an appeal shall consist of a de novo proceeding as provided in Section 11.3, except that the transcript or minutes of the hearing before the hearing officer shall automatically be included in the evidence before the Board.

ARTICLE XII. GRIEVANCE PROCEDURE

12.1 Filing. Any member of this organization may file a written grievance with the Program Director pertaining to any matter within the cognizance of USA Deaf Volleyball or alleging a violation of any provision of this Constitution, and/or the USA Deaf Volleyball Bylaws.

12.2 Requirements of a Grievance. Any grievance shall be signed under oath and shall allege with particularity the nature of the grievance and each claimed violation of the aforementioned documents by reference to specific sections thereof, stating in concise language how, when, and where the alleged violation occurred. The factual allegations shall be set forth in numbered paragraphs, each paragraph containing a single factual allegation.

12.3 Referral. Upon receipt of a grievance, the Directors shall refer it to the Executive Director/Board President. He/she shall make an effort to resolve the grievance himself/herself, through informal means.

12.4 Hearing. If the grievance is referred to the Executive Board or, in the event that the member filing a grievance is not satisfied with the resolution of the matter reached by informal methods, the member shall be entitled to be heard before the Board at its next scheduled meeting. The Board's determination of the matter shall be final.

12.5 Suspension and Expulsion. Any individual member recognized by the USA Deaf Volleyball who violates any of the provisions of these bylaws, or any operation policy of this USA Deaf Volleyball approved by the Board, be suspended by the Board until the next meeting of the USA Deaf Volleyball, to which meeting said action of suspension shall be reported by the Office Operations. At such a meeting, the suspension may be removed by a two-thirds vote of the board members of USA Deaf Volleyball or may be expelled by a two-thirds vote of the board.

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ARTICLE XIII. CONDUCTS OF USADVB AND ITS MEMBER/ATHLETICS

13.1 Non-Discrimination Policy. USA Deaf Volleyball and its participants shall not discriminate against any individual on the basis of race, creed, religion, sexual orientation, national origin, sex, age, disability, marital status, political affiliation, or any other class protected by federal, state, or local laws.

13.2 Conduct Policy. USA Deaf Volleyball and its participants shall engage in appropriate conduct in conformance with the traditions of USA Volleyball tournament and events at all times and in all places. Coaches and managers shall be responsible for the conduct of their teams and players.

13.3 Whistleblower Protection Policy. This Whistleblower Policy is intended to encourage and enable USA Deaf Volleyball board members, officers, staff, participants and others to raise serious concerns internally so that USA Deaf Volleyball can address and correct inappropriate conduct and actions.

13.4 No Retaliation Policy. It is contrary to the values of USA Deaf Volleyball for anyone to retaliate against any board member, officer, staff or participant who in good faith reports an ethics violation, or a suspected violation of USA Deaf Volleyball bylaws such as a complaint of discrimination, suspected fraud, or suspected violation of any regulation governing the operations of USA Deaf Volleyball. Any person who retaliates against someone who has reported a violation in good faith is subject to discipline.

ARTICLE XIV. OPERATING PROCEDURE

The Executive Board may adopt operating procedures for USA Deaf Volleyball, not inconsistent with the terms herein.

ARTICLE XV. CONFLICT OF INTEREST AND CODE OF ETHICS

15.1 The Board shall periodically publicize the conflict of interest policy according to the current laws and regulations in effect. The Board and employees of USA Deaf Volleyball shall adhere to such policies. Members of the Board are expected to refrain from any activity or investment that might constitute, or appear to constitute, a conflict of interest. A conflict of interest arises when a situation or set of circumstances develops and causes, or is perceived to cause a member to consider interests other than USA Deaf Volleyball in arriving at a business decision or fulfilling his or her responsibility to the organization. Board members shall not disclose, disseminate, or use information or be in violation of personnel employment practices in any way that may constitute a personal gain. .

15.2 The Board shall adopt the Code of Ethics as established by the Board. Violation of the Code of Ethics shall be grounds for removal from the Board. In fulfilling their duties, members of the Board shall:

1. Carry out duties in the best interests of USA Deaf Volleyball and maintain its image in the most favorable light possible;

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2. Make reasonable inquiry before voting on any matter before the Board;
3. And strive to ensure that all employees, athletes and fellow Board members are not subject to discrimination or harassment of any kind.

ARTICLE XVI. AMENDMENTS TO THE BYLAWS

Proposed amendments to these bylaws shall be presented to the Chairperson of the Governance Committee at least thirty (30) days before the next meeting for consideration.

The Chairperson shall share the proposed amendments at the Board meeting and present the committee's recommendations. A two-thirds (2/3) vote of Board members present and through proxy shall be necessary for ratification of each proposed amendment.

ARTICLE XVII. DISSOLUTION OF ORGANIZATION

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code, or shall be distributed to USADSF, for a public purpose. Any such assets not disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine which are organized and operated exclusively for such purposes. In no case shall the members be liable for any debts of this organization.

Appendix A.

Policy for Leaders attending USADVB International Events

1. OBJECTIVE

This policy is written to govern the allocation of funds collected via USA Deaf Volleyball's (USADVB) board members (hereafter referred to as Members) fundraising efforts; specifically in relation to international events.

2. FUNDRAISING ORIGINS

Monetary amounts fundraised by collective Members or sole Members will be distributed according to the funnel which is further elaborated on in section 4. However, Members shall also take care to ensure that contributions are used in accordance with donors' intentions.

Any and all monetary amounts fundraised by a single player on the USADVB National Team will be allocated for that player's expenses and that player alone. This amount will never be allocated to support expenses of another player or Member traveling to an international (nor domestic) event. The only exception to this clause is if the amount collected by the fundraising player exceeds their personal fundraising goal and they elect to allocate this money to the person(s) of their choosing. In this event, USADVB will obtain written permission from the fundraising player to redistribute the surplus amount to the person(s) of their choosing.

In the event where we do team-based fundraisers, every player and coach will have the choice to opt in or out. Everyone who opts in will be required to participate depending on the fundraiser goals and requirements in order to be considered as a contributor. All money that has been raised will be split equally with all participants (player, coach staff, and/or USADVB board) who have met the criteria to be considered as a contributor.

3. ATTENDEES

The following Members and coaches are mandatory attendees of USADVB international events:

- ☐ Executive Director
- ☐ Indoor National Teams Director
- ☐ Beach Programs Director
- ☐ Women's National Team Head Coach
- ☐ Women's National Team Assistant Coach
- ☐ Men's National Team Head Coach
- ☐ Men's National Team Assistant Coach
- ☐ Men's Beach Volleyball Head Coach
- ☐ Women's Beach Volleyball Head Coach
- ☐ Public Relations Coordinator*

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*the Public Relations Coordinator is considered a nonmandatory attendee during the Deaflympics as there will already be a media team on site for those events.

The aforementioned Members and coaches will receive priority USADVB funding support for their travel expenses.

The following Members are not mandatory attendees of USADVB international events:

- ☐ Youth Programs Coordinator
- ☐ Youth Programs Coordinator Assistant
- ☐ Financial Coordinator
- ☐ At-Large Board Members

Nonmandatory members are welcome to attend USADVB international events and receive partial funding for their trip expenses with the understanding that 1. The Member assists in the fundraising efforts and 2. They will be required to take on a support role for USADVB during the duration of the event (more on this in section 5).

4. FUNNEL

The amount fundraised by USADVB Members will be allocated based on a three-tier funnel. The first tier, consisting of all the coaches and assistant coaches, will have their airfare along with their room and board covered. This is contingent on having the funds to be able to do so. If not enough is fundraised to be able to finance all the coaches' travel costs, the money will instead be divided equally amongst all the coaches and they will be expected to pay the remaining portion of the travel costs out of pocket.

If the first tier's travel expenses have been fully financed, the remaining amount will be equally distributed among the Members within the second tier, consisting of the Indoor, Beach, and Executive Directors. Again, If not enough is fundraised to be able to finance the second tier's travel costs in entirety, they will be expected to pay the remaining portion of the travel costs out of pocket.

Lastly, the remaining amount, if any, will go to Members within the third tier, consisting of non-mandatory Members (if applicable). Third tier Members are expected to pay any remaining balances not covered by USADVB out of pocket.

1. Women's & Men's Indoor/Beach Team Coaches and Assistant Coaches
2. Indoor National Teams Director, Beach Programs Director, Executive Director
3. If applicable, non-mandatory Members

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If any coach or Member decides to extend their stay by arriving earlier or staying longer than the established competition dates, the costs of lodging and meals for those extra days will be their own responsibility.

5. FUNDRAISING OBLIGATIONS

All mandatory Members are expected to assist with fundraising efforts.

Non-mandatory members are not required to contribute to fundraising efforts. However, if they want a portion of their international trip funded, they must assist with fundraising efforts. As incentive for their fundraising efforts, five percent of the amount that they help fundraise for USADVB will be earmarked for their travel costs.

6. EXPECTATIONS OF NON-MANDATORY ATTENDEES ON SITE

Nonmandatory Members who receive financial support from USADVB to attend any international event are expected to assist with the National teams during the event. This assistance could include, but is not limited to, the following:

- ☐ social media support (taking photographs and/or videos, posting)
- ☐ runner (completing errands as needed)

If a non-mandatory Member is present at the international event, but was not funded by USADVB, then they are not obligated to offer support during said event.