

**Draft**  
**CONNECTICUT SWIMMING, INC**

**HOUSE OF DELEGATES**  
**MINUTES**  
**May 18, 2010**  
**High Plains Community Center, Orange, CT**

General Chair Jeff Gray called the meeting to order 7:35 P.M.

**Present Board Members:**, Peter Boucher, Ed Doernberger, Jeff Gray, Mike Huffman, Chris Hug, Henk Jansen, Cooper Kearns, King Lee, Rick Lewis, Dan Mascolo, Christine Pelham, Judy Snow, Lauren Solernou, Kaeley Steinnagel, Bonnie Strittmatter, and Mary Westcott

**Not Present:** Ed Becker, Dennis Flores, David Heller,

**Also Present:** Nan Cooper

**Club Delegates Present:** Dana Dillan (PAC), Lisa Demers (WWRX), Gary Cavaliere (HNHS), Dennis Rodney and Mark Newcomb (WYW), Bob Shearer (RAC), John McCann (AJSC), Chuck Elrick (HMST), Bob Bouchey (WCYM), Bill Ball (SNCO/CCSU), Chuck Clark (SMST), Ellen Johnston (WRAT), Teddy Weeks (FFLY), Susan Button (CAC), John Spadafina (NCY), Tim Wise (OMNI), and Jonathan Mayer (GRYM)

**Approval of the Agenda:** A motion to accept the Agenda as written was unanimously approved.

**Approval of the Minutes:** A motion to accept the minutes of the October 2009 House of Delegates Meeting was unanimously approved.

**Welcome and Announcements and Chairman's Report:** General Chair Jeff Gray welcomed all in attendance to the May 2010 House of Delegates Meeting. Mr. Gray reported that CT Swimming finances are in good shape and its volunteers to provide solid programs for our athletes. Mr. Gray recognized and thanked out-going board members Lauren Solerno, Athlete Rep, 2 years; Dennis Flores, Coach Rep, 2 years; David Heller, secretary, 4 years; Henk Jansen, Senior Committee Chair, 4 years; George Miles, Times Standards Chair; over 20 years; and Ken Block, Adapted Swimming Chair, 10 years.

**Reports of Officers**

**Administrative Vice Chair – Chris Hug**

Revisions and updates to the Bylaws will be presented tonight to the House of Delegates for approval. Website re-design is progressing with a completion date of fall 2010.

**Treasurer – Mary Westcott**

Connecticut Swimming continues to maintain a good financial position and status; on par with this time last year. Audit is underway.

### **Finance Vice Chair – Bonnie Strittmatter**

Investment policy was revised with the main purpose of preserving capital.

### **Age Group Committee – King Lee**

The Age Group Committee reported that it will continue organizing and running outstanding short course and long course championship meets. Changes were made to the LC zone team requiring each athlete to qualify in 2 events. LC Age Group Championship meet changes were made to the order of events (12/U 400M relays), 1 entry for 800M relay. Minimum times standards were added to LC Regional championships. Age Group Committee continues its open dialog with Senior Committee.

### **Senior Committee – Henk Jansen**

The Committee is currently working on funding allotments per meet for athlete travel assistance. Henk thanked his committee for the past 4 years of productive work.

### **Program Development – Rick Lewis**

Rick noted that Senior, Age Group, and Technical Planning committees have all been active.

### **Program Operations – Mike Huffman**

Mike Huffman noted that challenges with lc pool availability continue. This means that Program Operations has been flexible with timelines and creative cut procedures.

### **Technical Planning – Kaeley Steinnagel**

Committee recommended minimum time standards for LC Regionals and is currently looking in-depth at LC Age Group Championship structure. Kaeley encouraged people to attend TP meetings.

### **Coach Representatives – Dan Mascolo**

Dan Mascolo introduced John Spadafina as the newly elected Jr. Coach Representative. Dan will continue to make the Coach Rep role more public and encourages coaches to email him.

### **Athlete Representatives – Lauren Solernou/Cooper Kearns**

Lauren Solernou introduced Lexi Koukos as the newly elected Jr. Athlete Rep. The athlete reps are looking into a new way to elect athletes.

### **Coach at Large – Christine Pelham**

Christine would like to conduct a coach salary survey and create a forum for coaches. Also, she is looking into a secure online voting system.

### **Safety – Peter Boucher**

Peter will be working on an evacuation plan for meets held at Wesleyan University.

### **Officials – Ed Becker**

See report.

### **Registration – Judy Snow**

Judy expressed appreciation for all of the assistance provided to her by her new assistants Ginger and Rick. Registrars are discouraging copies of birth certificates due to privacy concerns. Registration figures are included in her report.

### **Presentation and Approval of the Annual Budget for 2010-2011**

A balanced budget for 2010-2011 was presented to all attendees. The budget includes an increase in individual USA Swimming membership fees by \$1.00. Budget was unanimously approved.

### **2010 Elections**

Board of Directors: Peter Boucher, Nominating Committee member, reported the following nominations for election to the CSI Board of Directors: General Chair, Chris Hug (OAK); Administrative Chair, Rick Lewis (SHKS); Program Development, Jeff Gray (PSDY); Finance Vice-Chair, Bonnie Strittmatter (WRAT); Secretary, Hilary Berger (WYW/WEST); and Senior Committee Co-Chairs, Bill Ball (SNCO/CCSU) and Bob Shearer (RAC). This slate of Officers as nominated for uncontested positions were elected by unanimous voice acclamation.

Board of Review: Elected by the House of Delegates to the Board of Review were: Henk Jansen (PSDY), Gary Cavaliere (HNHS), Rhianna Blake (CAC athlete), Lexi Koukos (CDOG athlete and Board member), John Spadafina (NCY coach and board member); and alternates Tim Wise (OMNI); Bill Ball (SNCO/CCSU); and Dennis Rodney (WYW).

### **NEW BUSINESS**

Bylaw revisions (attached): Revisions were approved by the Board of Directors at the April 2010 meeting. Most revisions are technical changes and name change from United States Swimming to USA Swimming. Chris Hug, Administrative Vice-Chair recommended approval except for 6.7.13 and 4.14. Bylaw revisions were approved except for 6.7.13 and 4.14 by the House of Delegates.

The meeting was adjourned at 8:30 P.M.

Respectfully submitted,  
Nan Cooper  
Administrator

**2010 BYLAW REVISION**  
**Christopher Hug, Administrative Vice-Chair**

**MOTION:** *It is hereby moved that the Connecticut Swimming House of Delegates approve the proposed 2010 Bylaws presented and approved by the Board of Directors April 21, 2010, with one EXCEPTION, namely 4.1.4. It is recommended that the Bylaws be approved without the change to 4.1.4 because such change was not specifically brought to the attention of the Board at the meeting and, therefore, further discussion should occur.*

**Motion amended to read:** *It is hereby moved that the Connecticut Swimming House of Delegates approve the proposed 2010 Bylaws presented and approved by the Board of Directors April 21, 2010, with one EXCEPTION, namely 4.1.4 and 6.7.13. It is recommended that the Bylaws be approved without the change to 4.1.4 and 6.7.13 because such change was not specifically brought to the attention of the Board at the meeting and, therefore, further discussion should occur.*

*Once the bylaws are approved, ministerial changes, such as development of a table of contents and cross-referencing of sections in the body of the text will occur prior to publication.*

*The effective date for these revisions will be September 1, 2010.*

*A summary of the substantive changes are set forth below:*

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**ARTICLE 1**  
**NAME, OBJECTIVES, TERRITORY AND JURISDICTION**

1.2 OBJECTIVES - The objectives and primary purpose of the CSI shall be the education, instruction and training of individuals to develop and improve their capabilities in the sport of swimming. CSI shall promote swimming for the benefit of swimmers of all ages and abilities, in accordance with the standards, rules, regulations, policies and procedures of FINA, ~~USS~~USA Swimming, and CSI and its Certificate of Incorporation.  
**[CHANGE MADE THROUGHOUT DOCUMENT]**

2.1 D Affiliated Individual Members - An Affiliated Individual Member is an individual interested in the objectives and programs of CSI who resides, formerly resided, or formerly participated in the sport of swimming in the Territory and who is in good standing as an Individual Member of CSI and USA Swimming.

.3 MEMBERSHIP A PRIVILEGE NOT A RIGHT - Membership in CSI and ~~USS~~USA Swimming is a privilege and shall not be interpreted as a right. Membership (including a Life Membership) may be terminated by the Board of Review or the

National Board of Review for any violation of a member's responsibilities under ~~Section 0~~ Article 410 of the USA Swimming Rules and Regulations, for any of the reasons set forth in Section 0 or for any other reason determined by the Board of Review or National Board of Review to be in the best interests of the sport of swimming, ~~USS~~ USA Swimming or CSI.

## ARTICLE 4 HOUSE OF DELEGATES

- 4.1 MEMBERS - The House of Delegates of CSI shall consist of the Group Member Representatives, the Athlete Representatives, the Coach Representatives, the Board Members designated in Section 0-\_\_\_\_, and the At-Large House Members.
- .1 GROUP MEMBER REPRESENTATIVES - Each Group Member in good standing shall appoint from its membership a Group Member Representatives and one or more alternates for each. The appointment shall be in writing, addressed to the Secretary of CSI and duly certified by the chief executive officer or secretary of the appointing Group Member. The appointing Group Member may withdraw one or more of its Group Member Representative-Representatives or one or more of its alternates and substitute a new Group Member Representative-Representatives or new alternates by written notice, addressed to the Secretary of CSI and signed by the chief executive officer or secretary of the appointing Group Member.
  - .2 AT-LARGE HOUSE MEMBERS - Up to ten (10) at-large members of the House of Delegates may be appointed by the General ~~Chairman~~ Chair with the advice and consent of the Board of Directors. Additionally, a sufficient number of athlete members-at-large shall be elected to constitute at least 20% of the voting membership of the House of Delegates. The At-Large House Members shall hold office from the date of appointment through the conclusion of the annual meeting of the House of Delegates following such appointment or until their successors are appointed to the House of Delegates.
  - .3 ATHLETE REPRESENTATIVES ~~= Four (4)~~ Two (2) Athlete Representatives shall be elected, ~~one~~ two each year for a two-year term, or until their respective successors are elected. At the time of election, the Athlete Representative must (a) be an Athlete Member in good standing; (b) be at least sixteen (16) years of age by the end of the calendar year of election ~~and~~ or at least a sophomore in high school; (c) be currently competing, or have competed during the three (3) immediately preceding years, in the program of swimming conducted by CSI or another LSC; and (d) reside in the Territory or in the ~~contiguous~~ contiguous territory of another LSC and expect to reside therein throughout at least the first half of the term. The election of the Athlete Representatives shall be conducted annually ~~during CSI's short course senior swimming championship, or other regularly scheduled meet designated by the Board of Directors.~~ The balloting shall take place at a meeting called for that purpose by the Senior Athlete Representative or ~~the Athletes'~~ Committee, or failing that, at a time and in a manner designated by the Board of Directors. The Athlete Representatives elected shall be determined by a majority

of the ~~Athlete Members and Seasonal~~ Athlete Members in good standing present and voting who are thirteen (13) years of age or older.

- .4 COACH REPRESENTATIVES\_- Two Coach Representatives shall be elected, one each year for a two-year term, or until their respective successors are elected.. The election of the Coach ~~Representatives~~ Representative shall be conducted during CSI's short course senior ~~and age group~~ swimming ~~championships~~ championship, ~~by secret ballot following a solicitation of nominations at a meeting timely called~~ by the Senior Coach Representative, the Coaches Committee or the Board of Directors, and determined by a majority of the Coach Members in good standing present and voting or, failing that, at a time and place and in a manner designated by the Board of Directors.
  
- 4.4 4.5 ANNUAL AND REGULAR MEETINGS - The annual meeting of the House of Delegates of CSI shall be held in the month of May of each year. Regular meetings of the House of Delegates shall be held ~~in the month of October or~~ in accordance with a schedule adopted by the House of Delegates or the Board of Directors.
  
- 4.6 SPECIAL MEETINGS - Special meetings of the House of Delegates may be called by the Board of Directors or the General ~~Chairman~~ Chair. Should the Board of Directors or the General ~~Chairman~~ Chair fail to call the annual or scheduled regular meetings or should a special meeting be appropriate or helpful, a meeting of the House of Delegates may be called by a petition signed by at least five (5) members of the House of Delegates ~~or by at least three (3) Board Members~~.
  
- 4.8 NOMINATING COMMITTEE —
  - .1 MEMBERS OF NOMINATING COMMITTEE; ELECTION\_- The Nominating Committee shall comprise not fewer than five (5) Individual Members-. The Nominating Committee shall be elected annually by the House of Delegates ~~at its last regularly scheduled meeting prior to the annual meeting or by the Board of Directors if~~. If the House of Delegates does not act in a timely fashion the Board of Directors shall elect a Nominating Committee to serve until their successors are elected. A number greater than five (5) may be designated from time to time by either the House of Delegates or the Nominating Committee. Each Nominating Committee member shall be a member of the House of Delegates and no more than two (two-fifths if there are more than five (5) members of the Nominating Committee) shall be Board Members. Section  $\theta$  \_\_\_\_\_ shall apply to members of the Nominating Committee. If any member of the Nominating Committee resigns or otherwise becomes unable to participate in its affairs, the General ~~Chairman~~ Chair, with the advice and consent of the Board of Directors, shall appoint a successor to serve until the next meeting of the House of Delegates.
  
  - .3 DUTIES OF NOMINATING COMMITTEE\_- A slate of candidates for election as the officers, At-Large Board Members, or committee chairmen or coordinators specified in Section  $\theta$  \_\_\_\_\_ and the regular and alternate members of the Board of Review to be elected at the next annual meeting shall be prepared by the Nominating Committee. The Nominating Committee may in its discretion nominate a slate of one person for each position to be filled or may nominate

more than one candidate for one or more of the positions. (~~See Sections 0 and 0 for nominating procedures for members of the Board of Review and the Nominating Committee.~~)

- .5 ~~ADDITIONAL NOMINATIONS~~ - Additional Nominations in addition to those made by the Nominating Committee or the Board of Directors (pursuant to Sections 0 and 0) nominations may be made from the floor of the House of Delegates by any member of the House of Delegates eligible to vote.

## ARTICLE 5 BOARD OF DIRECTORS

- 5.1 MEMBERS - The Board of Directors shall consist of the following ~~Officers~~officers, vice-chairs, committee chairmen, coordinators and representatives of CSI, together with those additional members designated in Sections 0-\_\_\_ and 0:\_\_\_:

- ~~.1~~ General Chairman~~Chair~~
- ~~.2~~ Administrative Vice-chairman~~Vice-Chair~~
- ~~.3~~ Program Development Vice-chairman Senior Committee Chair
- ~~.4~~ Program Operations Vice-chairman Age Group Committee Chair
- ~~.5~~ Finance Vice-chairman Program Development Vice Chair
- ~~.6~~ Secretary Program Operations Vice-Chair
- ~~.7~~ Treasurer Finance Vice-Chair
- ~~.8~~ The Coach Representatives~~Secretary~~
- ~~.9~~ The Athlete Representatives~~9~~ Treasurer
- ~~.10~~ Senior Committee Chairman The Coach Representatives
- ~~.11~~ Age Group Committee Chairman The Athlete Representatives
- ~~.12~~ Officials Chairman Safety Coordinator
- ~~.13~~ Technical Planning Committee Chair
- ~~\_\_\_\_\_~~ .14 At-Large Board Members
- ~~\_\_\_\_\_~~ .15 Registration/Membership Coordinator
- ~~\_\_\_\_\_~~ .1 Safety Committee Chairman
- ~~\_\_\_\_\_~~ .2 Technical Planning Chairman
- ~~.16~~ At Large Board MembersOfficials' Committee Chair

- 5.2 AT-LARGE BOARD MEMBERS - The Board of Directors shall have ~~one~~ five ~~(-1-5-)~~ or more ~~At-Large Board Members~~ at least one of whom ~~must~~ shall be a Coach Member. The House of Delegates or the Board of Directors by resolution may reduce the number, but not increase it to more than five (5). Any reduction in the number of At-Large Board Members shall not take effect until the terms of office of the incumbents expire or become vacant. ~~The House of Delegates or the Board of Directors by resolution may create other classes of At Large Board Members, such as an At Large Board Membership to be held by an attorney at law who shall serve as CSI's General Counsel.~~

- 5.3 EX-OFFICIO MEMBERS - The following ~~person~~persons shall be an ex-officio ~~member~~members of the Board of Directors during the time period in which ~~the person meets~~they meet the defined status:
- ~~the~~1 The Immediate Past General ~~Chairman~~Chair of CSI, if an Individual Member in good standing~~;~~;
  - .2 Members of the USA Swimming Board of Directors who are Individual Members in good standing; and
  - .3 USA Swimming Committee Chairmen who are Individual Members in good standing.
- 5.4 LIMITATIONS - No more than three (3) ~~athletes,~~members or coaches ~~or members~~ of any Club Member or Affiliated Group Member shall serve on the Board of Directors at any time. ~~No more than one (1) athlete member of any Club Member shall serve as an Athlete Representative at any time. No more than one (1) coach of any Club Member shall serve as a Coach Representative at any time.~~This limitation shall be applied separately as to Athlete Members and other Individual Members.
- 5.5 VOICE AND VOTING RIGHTS OF BOARD MEMBERS - The voice and voting rights of Board Members and Individual Members shall be as follows:
- .1 BOARD MEMBERS - Each Board Member other than the ex-officio members (see Section 5.3 and At-Large Board Members) shall have both voice and vote in meetings of the Board of Directors and its committees.
  - .2 NON-VOTING BOARD MEMBERS - Unless entitled to vote under another provision of these Bylaws, the ex-officio members and At-Large Board Members shall have voice but no vote in meetings of the Board of Directors and its committees.
- 5.6 DUTIES AND POWERS - The Board of Directors shall act for CSI and the House of Delegates during the intervals between meetings of the House of Delegates, subject to the exercise by the House of Delegates of its powers of ratification or prospective modification or rescission, except that it shall not remove a Board Member, a Board of Review member or other person elected by the House of Delegates or amend these Bylaws. In addition to the powers and duties prescribed in the ~~USS Code~~USA Swimming Rules and Regulations or elsewhere in these Bylaws, the Board of Directors shall have the power and it shall be its duty to:
- .1 Establish and direct policies, procedures and programs for CSI;
  - .2 Oversee the conduct by the officers and staff of CSI of the day-to-day management of the affairs of CSI;
  - .3 Elect At-Large Board Members, ~~regular or alternate members of the Board of Review or members of the Nominating Committee~~ when the House of Delegates does not do so in a timely fashion;
  - .45 Provide advice and consent to appointments proposed by the General ~~Chairman~~Chair that require advice and consent under these Bylaws or the CSI Policies and Procedures Manual;

- ~~.56~~ Cause the preparation and presentation to the House of Delegates of the annual budget of CSI and make a recommendation to the House of Delegates concerning the approval or disapproval thereof;
- ~~.67~~ Receive presentation of the annual audit report pursuant to Section ~~0-\_\_\_\_\_~~ and make a recommendation to the House of Delegates concerning the approval or disapproval ~~of the report~~thereof;
- ~~.78~~ Call regular or special meetings of the Board of Directors or the House of Delegates;
- ~~.89~~ Admit eligible prospective Group Members and Affiliated Individual Members;
- ~~.910~~ Retain such independent contractors and employ such persons as the Board shall determine are necessary or appropriate to conduct the affairs of CSI;
- ~~.4011~~ Appoint other officers, agents, or committees or coordinators, to hold office for the terms specified. These appointees shall have the authority and perform the duties as provided in these Bylaws, the CSI Policies and Procedures Manual or as may be provided in the resolutions appointing them, including any powers of the Board of Directors as may be specified, except as may be inconsistent with any other provision of these Bylaws. To the extent not provided elsewhere in these Bylaws, the Board of Directors may delegate to any officer, agent, or committee or coordinator the power to appoint any such subordinate officers, agents, or committees or coordinators and to prescribe their respective terms of office, authorities and duties; and
- ~~.4112~~ Remove from office any ~~Officers and lesser~~ officers, At-Large Board Members, committee chairmen, or committee members or coordinators of CSI who were not elected by the House of Delegates and who have failed to attend to their official duties or member responsibilities or have done so improperly, or who would be subject to penalty by the Board of Review for any of the reasons set forth in Section 0 Article 410 of USA Swimming Rules and Regulations. No ~~Officer~~officer, At-Large Board Member, or committee chairman or coordinator may be removed without receiving the thirty (30) days written notice specifying the alleged deficiency in the performance of the member's responsibilities under these Bylaws, the member's official duties or other reasons. All notices and proceedings under this section shall be prepared, served and processed utilizing the procedures for a formal hearing pursuant to Section 0 Article 406 of USA Swimming Rules and Regulations to the extent applicable. Should the ~~Officer~~officer, At-Large Board Member, committee chairman, or committee member or coordinator contest the alleged deficiency or other reason set forth in the notice, the Board of Directors shall hold a hearing at which the member shall have the same procedural rights as if the hearing were to be conducted by the Board of Review pursuant to ~~Article 0; and~~ Part Four of USA Swimming Rules and Regulations.

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~~.3~~ ~~Nominate Individual Members for election by the House of Delegates as regular and alternate members of the Board of Review. The nominations~~

shall be published in the same manner and time as provided for the Nominating Committee in Section ~~Error! Reference source not found.~~. Additional nominations may be made from the floor of the House of Delegates by any member of the House of Delegates eligible to vote.; and

~~4~~ Nominate two (2) (two fifths if there are more than five (5) members of the Nominating Committee) Board Members for election by the House of Delegates to the Nominating Committee. The nominations shall be published in the same manner and time as provided for the Nominating Committee in Section ~~Error! Reference source not found.~~. Additional nominations may be made from the floor of the House of Delegates by any member of the House of Delegates eligible to vote

5.10 REGULAR MEETINGS - Regular meetings of the Board of Directors shall be held on the third Tuesday in each month or otherwise in accordance with a schedule adopted by the Board of Directors. ~~The General Chairman shall have the power to cancel, postpone or accelerate any regularly scheduled meeting upon ten (10) days notice.~~

5.12 QUORUM - A quorum of the Board of Directors shall consist of ~~a majority of the members.~~ at least 10 voting members present, including those present through electronic media.

## ARTICLE 6 OFFICERS

6.1 ELECTED OFFICERS AND COMMITTEE CHAIRMEN — The officers, At-Large Board Members, and committee chairmen and coordinators who shall be elected by the House of Delegates are:

~~0:1 ELECTED OFFICERS~~ ~~0:1 ELECTED OFFICERS~~ ~~0:1 ELECTED OFFICERS~~  
The elected Officers are:

.1 General ~~Chairman~~ Chair

.2 Administrative ~~Vice-chairman~~ Vice-Chair

.3 Finance ~~Vice-chairman~~ Vice-Chair

.4 ~~Program Development Vice-chairman~~ Senior Committee Chair

.5 ~~Program Operations Vice-chairman~~ Age Group Committee Chair

.6 ~~Secretary~~ Program Development Vice- Chair

.7 ~~Treasurer~~ Program Operations Vice-Chair

.8 ~~Senior Committee Chairman~~ Secretary

.9 ~~Age Group Committee Chairman~~ Treasurer

.10 Technical Planning Committee Chair

.11 Safety Coordinator

.12 Officials Committee Chair

.13 At-Large Board Members

- 26.2 ELECTIONS - The House of Delegates, at its annual meeting, shall elect the General - ~~Chairman~~Chair, the Administrative ~~Vice-chairman~~Vice-Chair, the Secretary, the Finance ~~Vice-chairman~~, the Senior Committee ~~Chairman~~ Vice-Chair and the Program Development ~~Vice-chairman~~Vice-Chair, in even-numbered years; and the Age Group Committee ~~Chairman~~Chair, the Program Operations ~~Vice-chairman~~Vice-Chair, the Treasurer, the Technical Planning Committee ~~Chairman~~Chair, the Safety Committee - ~~Chairman~~Chair, the Officials Committee ~~Chairman~~ Chair and the - ~~Membership/Registration Coordinator~~ - in odd-numbered years. At-Large Board Members shall be elected in odd and even-numbered years in a manner that to the extent possible results in an equal number of positions being elected by the House of Delegates in each year, taking into account the number of Board of Review members being elected in relevant years.
- 6.3 ELIGIBILITY — Only Individual Members in good standing shall be eligible to hold office and must maintain their eligibility throughout their term of office.~~The office of any person who ceases to be an Individual Member shall be deemed to have become vacant at the end of the day the person ceased to be an Individual Member.~~
- 6.6 TERMS OF OFFICE —
- .1 TERM OF OFFICE - The terms of office of all elected members of the Board of Directors shall be two years.
- .2 COMMENCEMENT OF TERM - Each person elected to a position shall assume office at the end of the Fiscal Year and shall serve until a successor takes office, except in the cases of the Athlete Representatives or the Coach Representatives who shall assume office at the end of the CSI Annual Meeting.
- .3 ~~TRANSITIONAL PERIOD.3TRANSITIONAL PERIOD.3TRANSITIONAL PERIOD~~ — ~~During the period between the conclusion of the annual meeting of the House of Delegates and the beginning of the next Fiscal Year, the Officers, Representatives, committee chairmen and coordinators whose terms expire with the end of the last day of this transitional period shall consult with the newly elected successors before taking any significant action and both incumbent and elect shall endeavor to make the transition as smooth and as educational for the elect as is possible. The incumbent and elect shall make mutually acceptable arrangements for the transfer to the elect of all CSI papers and records held by the incumbent, but no later than the last day of this transitional period.~~
- 6.7 DUTIES AND POWERS — The duties and powers of the ~~Officers, Athlete~~officers and ~~Coach Representatives and At-Large~~ other Board Members shall be to attend and participate in all meetings of the House of Delegates and the Board of Directors and as follows:
- .2 SECRETARY: The Secretary, or a delegate, shall be responsible for keeping a record of all meetings of the House of Delegates and Board of Directors, conducting official correspondence, issuing meeting and other notices and making such reports to ~~USS~~ USA Swimming as are required by Article ~~0~~      of

these Bylaws and shall perform the other duties incidental to the office of Secretary. The Secretary, ~~or the staff of CSI's permanent office,~~ shall be custodian of the records ~~and the seal~~ of CSI, and attest the execution of, ~~and cause the seal to be affixed to,~~ all duly authorized instruments. The Secretary shall cause to be kept at CSI's permanent office copies of all minutes, official correspondence, meeting and other notices, and any other records of CSI ~~and the CSI corporate seal.~~

- .3 TREASURER: The Treasurer shall be the principal receiving and disbursing officer of CSI. Except as otherwise directed by the Finance ~~Vice chairman,~~ the Finance Committee Chair or the Board of Directors, the Treasurer shall receive all moneys, incomes, fees and other receipts of CSI and pay all bills, salaries, expenses and other disbursements approved by an authorized officer, committee chairman, coordinator, the Finance ~~Vice chairman,~~ the Finance Committee Chair, the Board of Directors or the House of Delegates, or required to be paid pursuant to Section ~~θ~~ \_\_\_\_\_. When authorized by the Board of Directors, income and expenses may be received and paid by a division, officer, ~~or~~ committee or coordinator, provided that the division, officer, ~~or~~ committee or coordinator promptly submits to the Treasurer an itemized report, duly attested by the division, officer, ~~or~~ committee chairman or coordinator and either within the approved budget of such division, officer, ~~or~~ committee or coordinator, or authorized by the Board of Directors or the House of Delegates. The Treasurer shall be a member of the Finance Committee but may not be its chairman. The Treasurer shall issue a ~~monthly financial~~ quarterly report listing the current budget variances by line item, all receipts, all expenditures and the current fund and account balances for the preceding ~~month~~ quarter and for the fiscal year to date, together with such other items as the Finance ~~Vice chairman~~ Vice-Chair, the Finance Committee, the General ~~Chairman~~ Chair or the Board of Directors may direct. The Treasurer shall:
- A have charge of and supervision over and be responsible for the funds, moneys, securities and other financial instruments of CSI;
  - B cause the moneys, securities and other financial instruments of CSI to be deposited in the name and to the credit of CSI in such institutions as shall be designated in accordance with Section ~~θ~~ \_\_\_\_ or to be otherwise invested as the Finance ~~Vice chairman,~~ the Finance Committee Chair or the Board of Directors may direct;
  - C cause to be appropriately segregated and accounted for any endowment funds, scholarship or award funds and any similar special purpose funds or accounts;
  - D cause the funds of CSI to be disbursed by checks or drafts, automated debits or wire transfers upon the authorized depositories of CSI, and obtain and preserve proper vouchers for all moneys disbursed;
  - E cause to be kept at CSI's permanent office correct books of account and other financial records of all its affairs and transactions and such duplicate books of account as the Board of Directors, the Finance ~~Vice chairman,~~ the Finance Committee Chair or the Treasurer shall determine;

F upon request and at reasonable hours cause such books or duplicates thereof to be exhibited to any member of the Board of Directors and upon application and at reasonable hours cause the ~~monthly~~ quarterly financial reports and the annual audited financial statement to be exhibited to any member of CSI or ~~USS~~ USA Swimming;

G cause CSI to be in compliance with the requirements of Section ~~0~~; \_\_\_\_\_;

H have the power to require from the officers, committee chairmen, coordinators, staff or agents of CSI reports or statements giving such information as the Treasurer may determine to be appropriate or helpful with respect to any and all financial transactions of CSI;

~~Imake the books and records available and otherwise fully cooperate with those conducting~~ I cause the annual audit of accounts of CSI to be performed and cause the preparation and timely filing of all required federal, state and local tax returns, and other financial and tax reports with the applicable government official, and forward a copy of the annual financial statement and audit report and any federal tax return to the Secretary for submission to the Board of Directors and ~~USS~~ USA Swimming national headquarters in accordance with Sections ~~0~~ \_\_\_\_\_ and ~~0~~; \_\_\_\_\_;

J have the power to appoint one or more assistant treasurers and delegate to them one or more of the Treasury functions, or parts thereof; and

K in general, perform all the other duties incident to the corporate treasury function.

.44 ADMINISTRATIVE VICE-CHAIR: The Administrative ~~Vice chairman~~ Vice-Chair shall conduct meetings in the absence of the General ~~Chairman~~ Chair and, at the request of the General ~~Chairman~~ Chair or in the event of the disability of the General ~~Chairman~~ Chair, shall perform all of the duties of the General ~~Chairman~~ Chair, and when so acting shall have all of the powers of the General ~~Chairman~~ Chair. (See also ~~Sections 0 and 0~~ Section \_\_\_\_\_.) The Administrative ~~Vice chairman~~ Vice-Chair shall chair, and have general charge of the business, affairs and property of the division that administers CSI business and affairs. The Administrative ~~Vice chairman~~ Vice-Chair shall aid in the development of policy and the coordination of the activities of the officers and committees within the division internally and with other divisions, and committees and coordinators. The Administrative Division shall be responsible for the creation and maintenance of CSI's Policies and Procedures Manual. The Administrative Vice Chair serves a liaison to the Athlete Representatives and the Athletes Committee, and shall be responsible to see that the Athlete Representatives elections are held in accordance with these Bylaws.

.5 SENIOR COMMITTEE CHAIR | The Senior Committee Chair shall chair and have general charge of the affairs and property of the Committee that develops and conducts the senior swimming program of CSI.

.10 ATHLETE REPRESENTATIVES: The Athlete Representatives shall serve as the liaison between the ~~Athlete Members~~ athletes who are members of CSI and the Board of Directors and House of Delegates. The Senior Athlete Representative shall chair the Athletes' Committee.

.12 AT-LARGE BOARD MEMBERS - In addition to their inherent powers and duties as members of the Board of Directors, the At-Large Board Members shall have such powers and duties as may be delegated to them by the CSI Policies and Procedures Manual, the General ~~Chairman~~ Chair, the Board of Directors or the House of Delegates. ~~The At-Large Board Member who is the required Coach Member shall serve as CSI's Meet Evaluation Coordinator and as its Coach Certifications Coordinator. One At-Large Board Member may be an attorney-at-law and serve as CSI's General Counsel.~~

.13 CSI DELEGATES TO USA SWIMMING HOUSE OF DELEGATES -

A Officer and Representative Delegates - It shall be the duty and privilege of the General ~~Chairman~~ Chair, the Administrative ~~Vice-Chairman~~, the ~~Program Development Vice-chairman~~ Vice-Chair, the Age Group Committee ~~Chairman~~, the ~~Chair~~ Program Operations Vice-chairman Development Vice Chair, the Senior Committee ~~Chairman~~ Chair, the ~~Senior Athlete Representatives Representative~~ and the Senior Coach Representative to attend the USS-USA Swimming annual meeting as representatives of CSI. ~~If the Board of Directors determines to send fewer than all of the Athlete Representatives to the USS annual meeting, the Senior Athlete Representative and the Athlete Representative next most senior in term of office shall attend and so on. If the Board of Directors determines to send two or more but fewer than all of the Coach Representatives to the USS annual meeting, the Senior Coach Representative and the Coach Representative next most senior in term of office shall attend and so on.~~

~~A Delegate at Large - The General Chairman, with the advice and consent of the Board of Directors, may appoint an additional representative to the USS annual meeting who shall be an Athlete Member, an Active Individual Member or a Coach Member of CSI for whom the USS annual meeting will have significant educational benefits and opportunities and which in the judgment of the General Chairman and the Board of Directors will be in the best interests of CSI and the individual appointed. While such an individual may usually be a Board Member, an officer, a coordinator, a committee chairman or an official, the individual appointed need not hold such a position with CSI in appropriate circumstances.~~

~~and Voting Delegates~~—The General Chairman, the Administrative Vice chairman, the Senior Athlete Representative and the Senior Coach Representative shall have the privilege and obligation to serve as voting delegates to the USS-USA Swimming House of Delegates. In the case of the Age Group and Senior Committee Chairmen and the Program Development and Program Operations Vice chairmen respectively, the voting privilege and obligation shall be rotated as follows: the Program Development Vice chairman and the Age Group Committee Chairman shall have the voting privilege and obligation in even numbered years and the Program Operations Vice chairman and the Senior Committee Chairman shall have the voting privilege and obligation in odd numbered years. The Board of Directors may make such other provision for rotating the voting privilege and obligation among the four officers, on either an ad hoc or standing basis, as it determines to be in the best interests of CSI and the individuals involved.

## 6.9 VACANCIES AND INCAPACITIES -

- .2 OFFICES OF ATHLETE OR COACH REPRESENTATIVES - In the event of a vacancy in the office of Athlete Representative or Coach Representative, or of the permanent incapacity of a person holding the office of Athlete Representative or Coach Representative, the General ~~Chairman~~Chair may appoint, with the advice and consent of the Board of Directors, an Athlete Member or a Coach Member, as the case may be, to serve the remainder of the term of office ~~or until the Athletes Committee or the Coaches Committee, as the case may be, shall elect a successor.~~
- .3 OTHER OFFICES - In the event of a vacancy in, or permanent incapacity of the person holding, any office other than General ~~Chairman~~Chair, Athlete Representative, Coach Representative or member of the Board of Review, the General ~~Chairman~~Chair shall appoint a successor, with the advice and consent of the Board of Directors, to serve until ~~an election can be held at the next regularly scheduled meeting of the House of Delegates to fill the remaining term, if any, of that person.~~ In the event of a temporary incapacity, the General ~~Chairman~~Chair may designate, with the advice and consent of the Board of Directors, an Individual Member to act for the incapacitated officer for the duration of the incapacity.

## 6.10 OFFICERS' POWERS GENERALLY -

- .3 DELEGATION - Officers of CSI may delegate any portion of their powers or duties to another Individual Member or to a committee composed of Individual Members, except that neither the Finance ~~Vice chairman~~Vice-Chair nor the Treasurer may delegate duties to the other without the consent of the Board of Directors. In addition, the authority to sign checks, drafts, orders of withdrawal or wire transfers shall not be delegated other than by the Board of Directors.

~~Except as otherwise provided in these Bylaws and with the consent of the Board of Directors or the Personnel Committee, any officer may delegate any portion of that officer's powers or duties to the paid staff of CSI. A delegation of powers or duties shall not relieve the delegating officer of the ultimate responsibility to see that these duties and obligations are properly executed or fulfilled.~~

ARTICLE 7  
DIVISIONS, COMMITTEES AND COORDINATORS

7.1 DIVISIONAL ORGANIZATION AND JURISDICTIONS, STANDING COMMITTEES AND COORDINATORS - The ~~six~~ divisions of CSI shall each be chaired by a ~~Vice-chairman~~Vice-Chair, the Senior Athletes Representative, or the Senior Coaches Representative, ~~as the case may be, each of~~ whose respective powers, duties, jurisdiction and responsibilities are described in Section ~~0~~\_\_\_. Under each division ~~Vice-chairman~~Vice-Chair there are officers, committees, coordinators and direct responsibilities as follows:

.1 ADMINISTRATIVE DIVISION - Administrative ~~Vice-chairman~~Vice-Chair

Awards Banquet ~~Coordinator~~  
Bylaws/Legislation/Rules  
Club Development  
~~Coordinator~~Coaches Certification CoordinatorComputer/Technology  
~~Computer Committee~~Elections  
Equipment  
Insurance  
Legal (General Counsel, if applicable)  
Marketing/Sponsorship  
~~Membership/Registration~~Coordinator  
Personnel ~~Committee~~  
Public Relations  
~~Publications/Newsletter~~ Publications/Newsletter/Website  
Policies and Procedures Manual  
Records/Top 16 Tabulation  
~~Coordinator~~Handbook Swimguide/Parents Manual  
Secretary

.2 PROGRAM DEVELOPMENT DIVISION - Program Development Vice- Chair

Adaptive Swimming  
Age Group  
Awards  
Camps/Clinics  
Diversity  
Open Water  
Program Development  
Senior  
Technical Planning  
Time Standards  
Zone Team  
Special Events

- ~~.2 PROGRAM DEVELOPMENT DIVISION.2 PROGRAM DEVELOPMENT DIVISION.2~~  
~~PROGRAM DEVELOPMENT DIVISION - Program Development Vice chairman~~
- ~~Adaptive Swimming Coordinator~~  
~~Age Group Committee~~  
~~Camp Coordinator~~  
~~Open Water Committee~~  
~~Program Development Committee~~  
~~Senior Committee~~  
~~Technical Planning Committee~~  
~~Time Standards Coordinator~~  
~~Zone Team Coordinator~~
- ~~.3 PROGRAM OPERATIONS DIVISION.3 PROGRAM OPERATIONS DIVISION.3 PROGRAM OPERATIONS DIVISION.3~~  
~~PROGRAM OPERATIONS 3 PROGRAM OPERATIONS DIVISION - Program Operations Vice chairman~~  
Vice-Chair
- ~~Awards~~  
Coaches Certification  
~~Clinics-Meet Evaluation~~  
~~Coordinator~~  
~~Meet Management~~  
~~Committee~~  
~~Meet Sanctions~~  
~~Coordinator~~  
~~Meet~~  
Sponsorships
- ~~Sponsorship Committee~~  
Safety  
~~Officials~~  
~~Committee~~  
~~OVC Coordinator~~
- ~~Safety Committee~~
- .4 FINANCE DIVISION - Finance ~~Vice chairman~~  
Vice-Chair
- ~~Audit~~  
~~Committee~~  
~~Budget~~  
~~Committee~~  
~~Finance~~  
~~Committee~~  
~~Marketing/Sponsorship~~  
~~Swim-a-thon~~  
~~Tax~~  
~~Committee~~  
~~Treasurer~~
- .5 ~~ATHLETES DIVISION.5 ATHLETES DIVISION.5 ATHLETES DIVISION.5~~  
~~ATHLETES DIVISION - Senior Athlete Representative~~
- ~~Athlete Representatives~~  
~~Athletes Committee~~
- .6 ~~COACHES DIVISION.6 COACHES DIVISION.6 COACHES DIVISION.6~~  
~~COACHES DIVISION - Senior Coach Representative~~
- ~~Coach Representatives~~  
~~Coaches Committee~~

## 7.2 NON-OFFICER CHAIRMEN AND THEIR COMMITTEES; COORDINATORS

### .2 DUTIES AND POWERS OF NON-OFFICER CHAIRMEN AND COORDINATORS -

- A The Membership/Registration Coordinator shall make the reports required by Section     , together with such additional reports as may be required by USA Swimming, the Board of Directors or the Administrative Vice-Chair.
- B Officials Committee Chair - The Officials Chair shall chair the Officials Committee, which is responsible for recruiting, training, certifying and supervising officials for CSI. The Officials Committee Chair shall be a referee certified by CSI and each member of the Officials Committee shall be a certified official of CSI.
- C Safety Coordinator - The Safety Coordinator shall be responsible for coordinating safety enhancement and training opportunities as needed and for the dissemination of USA Swimming safety education information to all Group Members, athletes, coaches and officials of CSI. The Safety Coordinator shall develop safety education programs and policies for CSI and make recommendations regarding same, and the implementation thereof, to the Program Operations Vice-Chair, the Administrative Vice-Chair and the Board of Directors. The Safety Coordinator shall make the reports required pursuant to Section     .
- D Technical Planning Committee Chair - The Technical Planning Committee Chair shall chair, and have general charge of the business, affairs and property of the Technical Planning Committee, which is responsible for long-range planning regarding the swimming programs conducted by CSI, the continuing review and development of the CSI philosophy and for advising other committees and divisions regarding the implementation of that philosophy in the context of CSI's swimming programs.
- A E Athletes Committee ~~Chairman~~ Chair - The Senior Athlete Representative shall chair and have general charge of the business, affairs and property of the Athletes Committee, which shall be responsible for the publication of an athletes' newsletter and shall undertake such other activities (a) delegated to it by the Board of Directors or the General Chair or (b) undertaken by the Committee as being in the best interests of the Athlete Members, CSI, USA Swimming and the sport of swimming.
- F Coaches Committee Chair - The Senior Coach Representative shall chair and have general charge of the business, affairs and property of, the Coaches Committee, which shall undertake such activities (a) delegated to it by the Board of Directors or the General Chair or (b) undertaken by the committee as being in the best interests of the Coach Members, CSI and the sport of swimming.
- B G Coaches Certification Coordinator — The Coaches Certification Coordinator, in conjunction with the Membership/Registration Coordinator and the Safety ~~Committee~~ Coordinator, shall be responsible for administering the program designed to ~~remind~~ monitor and enforce Coach Members of ~~and~~ their personal obligation ~~and duty to maintain on a current basis their~~

~~required certifications and other education obligations and to administer a system of reminders and penalties established by the Board of Directors intended to encourage Coach Members to fulfill their obligations in this regard. The Coaches Certification Coordinator shall make monthly reports to the Program Operations Vice-chairman, the Administrative Vice-chairman Chair and the Board of Directors and such other reports (which may be more frequent) as may from time to time be requested by the Membership/Registration Coordinator and the Safety Committee Chairman.~~

~~————— B — Coaches Committee Chairman — The Senior Coach Representative shall chair and have general charge of the business, affairs and property of, the Coaches Committee.~~

~~————— C — Meet Evaluation Coordinator — The Meet Evaluation Coordinator shall be responsible for the administration of CSI's system of meet evaluation questionnaires and the evaluation of information contained in the questionnaires concerning the conduct of CSI's swimming meets and the recommendation to the Program Development Committee and the Board of Directors of improvements in the swimming meet program of CSI.~~

~~————— D — Membership/Registration Coordinator — The Membership/Registration Coordinator shall be responsible for the registration of Group and Individual Members and shall such reports as may be required by USS, the Board of Directors or the Administrative Vice-chairman. The Membership/Registration Coordinator shall supervise the transmission of registration information to USS and assist in the preparation of the reports required by Section ~~Error!~~ **Reference source not found.** The Membership/Registration Coordinator shall assist the Safety Committee Chairman and the Coaches Certification Coordinator in the performance of their respective duties.~~

~~————— E — Officials Chairman — The Officials Chairman shall chair the Officials Committee which is responsible for recruiting, training, certifying and supervising officials for CSI. The Officials Chairman shall be a referee certified by CSI and each member of the Officials Committee shall be a certified official of CSI.~~

~~at least quarterly or as otherwise directed by GSafety Committee Chairman — The Safety Committee Chairman shall be responsible with the Safety Committee for coordinating safety enhancement and training opportunities as needed and for the dissemination of USS safety education information to all Group Members, athletes, coaches and officials of CSI. The Safety Committee shall develop safety education programs and policies for CSI and make recommendations regarding same, and the implementation thereof, to the Program Operations Vice-chairman, the Administrative Vice-chairman and Vice-Chair or the Board of Directors. The Safety Committee Chairman with the assistance of the Safety Committee shall make the reports required under Section 0.~~

~~HTechnical Planning Chairman~~—The Technical Planning Chairman shall chair, and have general charge of the business, affairs and property of the Technical Planning Committee, which is responsible for long range planning regarding the swimming programs conducted by CSI, the continuing review and development of the CSI philosophy and for advising other committees and divisions regarding the implementation of that philosophy in the context of CSI's swimming programs.

7.3 MEMBERS AND EX-OFFICIO MEMBERS OF STANDING COMMITTEES - Except as otherwise provided in these Bylaws or by the Board of Directors, members of each standing committee shall be appointed by the General ~~Chairman~~Chair -with the advice and consent of the respective division ~~vice chairman~~Vice-Chair -and the chairman of the committee. The division ~~vice chairman~~Vice-Chair -shall be an ex-officio member (with voice and vote) of each standing committee within the respective division. The ex-officio members and other designated members of certain standing committees shall be as follows:

.2 AUDIT COMMITTEE - The members of the Audit Committee shall be the Finance ~~Vice-chairman~~Vice-Chair, who shall serve as chairman, the Administrative ~~Vice-chairman and an Individual Member appointed by the General Chairman with the advice and consent of the Board of Directors~~Vice-Chair and the Senior Coach Representative.

.8 PROGRAM DEVELOPMENT COMMITTEE - The members of the Program Development Committee shall be the General ~~Chairman~~Chair, the Program Development ~~Vice-chairman~~Chair, who shall serve as the chairman, the Age Group Committee Vice Chair, the Program Operations Vice-chairman Chair, the Senior Committee ~~Chairman, the Age Group Committee Chairman~~Vice Chair, the Technical Planning Committee ~~Chairman~~Chair, the Coach Representatives, the Athlete Representatives-, Diversity Coordinator and the At-Large Board ~~Member~~member who is required to be a Coach Member.

## ARTICLE 8 ANNUAL AUDIT, REPORTS AND REMITTANCES

8.4 PUBLIC AVAILABILITY OF CERTAIN INFORMATION - CSI shall cause to be made available at ~~CSI's permanent office during regular business hours~~ a reasonable location and time determined by CSI to anyone requesting to see a copy of CSI's federal income tax and information returns for each of the last three years, and a copy of the materials submitted by ~~USS~~USA Swimming to include CSI in ~~USS's~~USA Swimming's group exemption ruling as required pursuant to IRS Code section 6104 and any similar requirements of applicable state or local laws.

## ARTICLE 10 BOARD OF REVIEW ORGANIZATION

10.1 INTRODUCTION - USA Swimming was organized as the National Governing Body for the sport of swimming under the Amateur Sports Act of 1978, as amended by the Ted Stevens Olympic and Amateur Sports Act of 1998, both federal laws. These laws require USA Swimming to establish and maintain provisions for the swift and equitable resolution of all disputes involving any of its members. This Article, together with Section \_\_ and Article \_\_\_\_, and the USA Swimming Rules and Regulations are intended to provide a clear statement of member responsibilities, liabilities for infractions thereof and a mechanism for resolving in an orderly and fair way all manner and kinds of disputes that may arise among its members in connection with the sport of swimming. Accordingly, CSI has established the Board of Review (the "Board") to hear complaints, protests and appeals regarding the administration and conduct (including acts and failures to act) of the sport of swimming in the Territory, conduct that may violate the USA Swimming Code of Conduct or otherwise violate the policies, procedures, rules and regulations adopted by USA Swimming or CSI, or conduct that may bring USA Swimming, CSI or the sport of swimming into disrepute. This Article, together with Part Four of the USA Swimming Rules and Regulations, is intended to provide a uniform method of appeal from any decision, act or failure to act to which a member of CSI or, where the conduct occurred in the Territory, another LSC takes exception, and to provide an opportunity for a fair hearing before a group of independent and impartial people. This Article and Part Four of the Rules shall be construed accordingly.

### 10.2 BOARD OF REVIEW ORGANIZATION -

- .1 ESTABLISHMENT - The Board of Review of CSI shall be independent and impartial.
- .2 MEMBERS - The Board of Review shall have at least nine (9) regular members and at least four (4) alternate members. The Board of Review, and any panel hearing a case, shall have a sufficient number of athlete members to constitute at least 20% of its membership. The House of Delegates may increase the number of regular or alternate members by resolution but subsequent to the adoption of these Bylaws may only decrease the number of regular or alternate members upon the expiration of the term of office of any incumbent members. When a matter is being heard by less than the full Board of Review, the panel hearing the case shall include a sufficient number of athlete members so as to constitute at least 20% of the hearing panel. No hearing shall proceed without the required athlete representation.
- .3 ELECTION; TERM OF OFFICE; ELIGIBILITY -
  - A Election - The House of Delegates shall **annually** elect regular and alternate members of the Board of Review: Four regular and two alternate members shall be elected in even-numbered years and five regular and one alternate members in odd-numbered years.

- B Term of Office - The term of office shall be two years. Each member and alternate member shall assume office upon the start of the Fiscal Year and shall serve until a successor is chosen.
- C Eligibility - Each regular and alternate member of the Board of Review shall be a Individual Member of CSI and USA Swimming. In no case shall elected members of the Board of Directors constitute a majority of the Board of Review.
- .4 CHAIR ELECTED BY BOARD; OTHER OFFICERS - The Chair of the Board of Review (the "Chair") who must be a regular member, shall be elected annually by a majority vote of the regular members of the Board of Review. The Chair shall annually appoint a Vice-Chair and a Secretary of the Board of Review, each of whom must be regular members. The Chair may appoint a Presiding Officer, who must be a regular member of the Board, to preside over one or more pending cases.
- .5 MEETINGS - The Board of Review shall meet for administrative purposes as necessary, to elect the Chair, to adopt rules and procedures and to conduct other business as may be helpful or necessary to achieve the purposes of the Board of Review and efficiently exercise its duties and powers. Other meetings may be called by the Chair or any three *regular* members. When meeting for administrative purposes, those provisions of Article \_\_\_ that are specified in Section \_\_\_ shall apply to the Board of Review.
- .6 PARTICIPATION THROUGH COMMUNICATIONS EQUIPMENT - Members of the Board of Review may participate in a meeting or hearing of the Board of Review, and any hearing may be conducted, in whole or in part, through conference telephone or similar equipment by means of which all persons participating in the meeting can hear each other at the same time. Participation by these means shall constitute presence in person at such a meeting or hearing.
- .7 QUORUM - A quorum for any administrative meeting of the Board of Review shall be fifty percent (50%) of its regular members, including athlete members.
- .8 RESIGNATIONS - Any regular or alternate member of the Board of Review may resign by orally advising the Chair or by submitting a written resignation to the Chair, the General Chair or the Board of Directors specifying an effective date of the resignation. In the absence of a specified effective date, any such resignation shall take effect upon the appointment or election of a successor.
- .9 INCAPACITIES AND VACANCIES - Determination of Vacancy or Incapacity - In the event of a vacancy in the office of the Chair, a Presiding Officer of any panel or other members of the Board of Review, the LSC shall have in place reasonable written and published rules consistent with the laws of the state of incorporation of the LSC to determine when such membership on the Board of Review becomes vacant or a Chair, Presiding Officer or member becomes incapacitated. The determination as to when the Chair is temporarily incapacitated shall be made, where the circumstances permit, by the Chair and otherwise shall be within the discretion of the Board of Review, subject to any subsequent action of the House of Delegates.

- .10 SUBSTITUTIONS FOR MEMBERS - In the event that a member of the Board of Review or a Presiding Officer is unable or unwilling to promptly act for any reason, recuses herself or himself or is disqualified in any particular circumstance, the Chair (or, if the person so unable or unwilling to act or recused or disqualified is the Chair, the Vice-Chair; or failing that, the General Chair) shall appoint another regular member or one of the alternate members or, if none of the alternate or regular members is available, a disinterested Individual Member to act in the member's place and stead in respect of that circumstance.
- .11 ADVICE; ATTORNEY AS PRESIDING OFFICER -
- A Legal and Other Advice - Where appropriate or helpful, the Chair or Presiding Officer may consult the USA Swimming General Counsel, the Chair of the USA Swimming Rules or Officials Committees or of the Bylaws Subcommittee or an attorney (who need not be a member of CSI, USA Swimming or the Board of Review) retained by the Board of Review or the Chair regarding any issue raised by a proceeding.
- B Attorney as Presiding Officer - The Board of Review or the Chair may retain an attorney (who need not be a member of CSI, USA Swimming or the Board of Review) to act as Presiding Officer at any hearing where it is appropriate or helpful. A Presiding Officer who is not a Board of Review member may participate in the deliberations of the Board of Review or the designated panel or have a vote.
- C Attorney's Fees and Expenses - Prior to retaining an attorney on any basis requiring the payment of fees to the attorney (the payment of expenses to an attorney providing services at no charge (*pro bono publico*) shall not be considered as a payment of fees for this purpose), the Chair or the Presiding Officer shall consult with the General Chair and the USA Swimming General Counsel. The Treasurer is authorized and directed to pay any fee and expenses charged by the attorney and approved by the Chair.

### 10.3 GENERAL -

- .1 ADMINISTRATIVE POWERS - The Board of Review shall have the powers and the duty to:
- A administer and conduct the affairs and achieve the purposes of the Board of Review,
- B establish policies, procedures and guidelines,
- C elect the Chair in accordance with Section \_\_,
- D elect or provide for the appointment of other officers, agents, committees or coordinators to hold office for terms, and to have the powers and duties, specified,
- E call regular or special meetings of the Board of Review,
- F retain attorneys, agents and independent contractors and employ those persons which the Board of Review may determine are appropriate, necessary or helpful in the administration and conduct of its affairs (see 10.2.11C) and

- G take such action as may otherwise be appropriate, necessary or helpful in the administration and conduct of its affairs, the achievement of its purposes and the efficient exercise of its duties and powers.
- .2 **RULE MAKING POWERS** - The Board of Review shall have the power and the duty to promulgate reasonable rules and procedures consistent with the corporation laws of the LSC with respect to any matter within its jurisdiction or appropriate, necessary or helpful in the administration and conduct of its affairs. Such rules and procedures shall have the same force and effect as if they had been adopted as part of these Bylaws.
  - .3 **EXERCISE OF POWERS AND DECISIONS** - Except for authority and power granted to the Chair or the Presiding Officer, the exercise of the authority and powers of the Board of Review and the decision of matters which are the subject of a hearing shall be decided by a majority vote of the panel, the rehearing panel or the regular membership of the Board of Review. The views of any dissenters shall be included in the record of the proceeding if requested by the dissenters. The exercise of the Board of Review's authority and power shall lie solely in its discretion and the interests of justice and the sport of swimming. However, the Board of Review shall exercise its power in response to a timely Petition filed with it, subject, in appropriate circumstances, to the power and discretion of the Chair or Presiding Officer to dismiss a Petition with permission to refile for a stated period. In connection with any preliminary investigation, the Chair or Presiding Officer may offer the services of a Board of Review member to act as a mediator or similar positions under other alternative dispute resolution mechanisms.
  - .4 **TIMELINESS OF PETITION** - The Board of Review need not exercise its jurisdiction with respect to a Petition the subject matter of which occurred, or concerns or is founded on events which occurred, more than ninety (90) days prior to the date the Petition is received (as determined under Section 0). A determination not to exercise its jurisdiction as a result of the untimeliness of a Petition may be made by the Chair alone and may be the subject of a request for rehearing and, thereafter, appeal to the National Board of Review pursuant to Section 0.
  - .5 **FILING FEES** - The Board of Directors or the House of Delegates may impose a schedule of generally applicable fees to be collected at the time a Petition, Request for a Rehearing or Request for Formal Hearing following an Emergency Hearing is filed with the Board of Review. If, on its own initiative or upon written request, the Board of Review determines it to be in the interest of justice and the sport of swimming, the filing fee may be waived on a case-by-case basis.