

1 **Proposed Revisions to the Bylaws of Connecticut Swimming**
2 **House of Delegates, May 16, 2017**

3
4 Text in yellow highlight are the revisions. Comments to the revisions are in red text.

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6 **NOTE: USA Swimming offers the option of including the Immediate Past General Chair to the**
7 **Nominating Committee. USA Swimming now requires athlete committee membership be 20%.**
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10 4.8 NOMINATING COMMITTEE

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12 .1 MEMBERS OF NOMINATING COMMITTEE; ELECTION - The Nominating Committee
13 shall comprise *the Immediate Past General Chair and* not fewer than five (5)
14 Individual Members *with a sufficient number of athletes so as to constitute at least*
15 *twenty percent (20%) of the voting membership of the Committee.* The Nominating
16 Committee shall be elected annually by the House of Delegates at its last regularly
17 scheduled meeting prior to the annual meeting or by the Board of Directors if the
18 House of Delegates does not act in a timely fashion the Board of Directors shall elect
19 a Nominating Committee to serve until their successors are elected. A number greater
20 than five (5) may be designated from time to time by either the House of Delegates
21 or the Nominating Committee. Each Nominating Committee member shall be a
22 member of the House of Delegates and no more than two (two-fifths if there are more
23 than five (5) members of the Nominating Committee) shall be Board Members.
24 Section 6.6.3 shall apply to members of the Nominating Committee, shall apply to
25 members of the Nominating Committee, *but service as the immediate Past General*
26 *Chair shall not be counted for that purpose.* If any member of the Nominating
27 Committee resigns or otherwise becomes unable to participate in its affairs, the
28 General Chair, with the advice and consent of the Board of Directors, shall appoint a
29 successor to serve until the next meeting of the House of Delegates. In no case shall
30 the General Chair serve on the Nominating Committee.
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35 **ARTICLE 5**
36 **BOARD OF DIRECTORS**

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38 **NOTE: USA Swimming requires the LSC Safe Sport Coordinator serve on the LSC Board of**
39 **Directors and no employee serve on the LSC Board.**
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41 5.1 MEMBERS - The Board of Directors shall consist of the following officers, committee
42 chairs, coordinators, and CSI representatives, together with At-Large Members and those
43 additional members designated in Sections 5.2 and 5.3:

- 44
45 .1 General Chair
46 .2 Administrative Vice-Chair
47 .3 Program Development Vice-Chair
48 .4 Program Operations Vice-Chair

- 49 .5 Finance Vice-Chair
- 50 .6 Secretary
- 51 .7 Treasurer
- 52 .8 The Coach Representatives
- 53 .9 The Athlete Representatives
- 54 .10 Senior Committee Chair
- 55 .11 Age Group Committee Chair
- 56 .12 Technical Planning Committee Chair
- 57 .13 Officials Committee Chair
- 58 .14 Registration/Membership Coordinator
- 59 .15 Safety Coordinator
- 60 .16 Safe Sport Coordinator
- 61 .17 At-Large Board Members

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63 5.4 LIMITATIONS

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- 65 .1 No more than three (3) athletes, coaches, or members of any Club Member or
 - 66 Affiliated Group Member shall serve on the Board of Directors at any time. No
 - 67 more than one (1) athlete member of any Club Member shall serve as an Athlete
 - 68 Representative at any time. No more than one (1) coach of any Club Member shall
 - 69 serve as a Coach Representative at any time.
 - 70 .2 Notwithstanding anything in these Bylaws to the contrary, no employee of the CSI
 - 71 may serve as a voting member of the Board of Directors.
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75 **ARTICLE 6**

76 **OFFICERS, REPRESENTATIVES, AND AT-LARGE BOARD MEMBERS**

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78 **NOTE: USA Swimming requires the LSC Safe Sport Coordinator to be an elected position to the**

79 **Board of Directors. The Safe Sport Coordinator will be elected in odd-years.**

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81 6.1 **ELECTED OFFICERS AND COMMITTEE CHAIRS** - The following officers, At-Large

82 Board Members, committee chairs, and coordinators shall be elected by the House of

83 Delegates:

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- 85 .1 General Chair
- 86 .2 Administrative Vice-Chair
- 87 .3 Finance Vice-Chair
- 88 .4 Senior Committee Chair
- 89 .5 Age Group Committee Chair
- 90 .6 Program Development Vice-Chair
- 91 .7 Program Operations Vice-Chair
- 92 .8 Secretary
- 93 .9 Treasurer
- 94 .10 Technical Planning Committee Chair
- 95 .11 Safety Coordinator
- 96 .12 Officials Committee Chair

- 97 .13 Membership/Registration Coordinator
- 98 .14 Safe Sport Coordinator
- 99 .15 At-Large Board Members

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101 6.2 ELECTIONS - The House of Delegates, at its annual meeting, shall elect the General -

102 Chair, the Administrative Vice-Chair, the Secretary, the Finance Vice-Chair, the Senior

103 Committee Chair, and the Program Development Vice-Chair, in even-numbered years; and

104 the Age Group Committee Chair, the Program Operations Vice-Chair, the Treasurer, the

105 Technical Planning Committee Chair, the Safety Coordinator, Safe Sport Coordinator the

106 Officials Committee Chair, and the Membership/Registration Coordinator in odd-

107 numbered years. At-Large Board Members shall be elected in odd- and even-numbered

108 years in a manner that, as possible, results in an equal number of positions being elected by

109 the House of Delegates in each year, taking into account the number of Board of Review

110 members being elected in relevant years.

111

112 6.7 DUTIES AND POWERS - The Officers and other Board Members shall attend and

113 participate in all meetings of the House of Delegates and the Board of Directors and shall

114 have the following additional duties and powers:

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116 **NOTE: These are corrections to typos. This is not a revision to the bylaws.**

117

118 .13 CSIDELEGATES TO USA SWIMMING HOUSE OF DELEGATES

119

120 A Officer and Representative Delegates - The General Chair, the Administrative

121 Vice-Chair, ~~the Age Group Committee Chair~~, the Program Development Vice-

122 Chair, the Age Group Committee Chair, the Program Operations Vice-Chair, the

123 Senior Committee Chair, the ~~Senior~~ Athlete Representatives, and the ~~Senior~~

124 Coach Representatives shall have the privilege and duty to attend the USA

125 Swimming annual meeting as CSI representatives. If the Board of Directors

126 determines to send fewer than all of the Athlete Representatives to the annual

127 meeting, the Senior Athlete Representative and the Athlete Representative next

128 most senior in term of office shall attend, and so on. If the Board of Directors

129 determines to send two or more but fewer than all of the Coach Representatives

130 to the annual meeting, the Senior Coach Representative and the Coach

131 Representative next most senior in term of office shall attend, and so on.

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138 **NOTE: USA Swimming now requires adding the 20% athlete committee composition language to**

139 **each listed committee.**

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142 **ARTICLE 7**

143 **DIVISIONS, COMMITTEES, AND COORDINATORS**

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145 7.3 MEMBERS AND EX OFFICIO MEMBERS OF STANDING COMMITTEES Except as

146 otherwise provided in these Bylaws or by the Board of Directors, members of each standing
147 committee shall be appointed by the General Chair with the advice and consent of the
148 respective division Vice-Chair and the Chair of the committee. A sufficient number of
149 athlete members of each committee shall be appointed by the General Chair with the
150 advice of the Senior Athlete Representatives. Athlete membership is required on all
151 committees. Athlete membership shall amount to at least twenty percent (20%) of the
152 voting membership of the committee. The athlete committee members shall meet the same
153 requirements as those of Athlete Representative set forth in Section 4.1.2. The division
154 Vice-Chair shall be an ex officio member (with voice and vote) of each standing committee
155 within the respective division. The ex officio members and other designated members of
156 certain standing committees shall be as follows:

- 157
158 .1 ATHLETES COMMITTEE - The members of the Athletes Committee shall be the Athlete
159 Representatives, the athlete At-Large Board Members and the athlete At-Large House
160 Members. The Senior Athlete Representative shall serve as committee chair.
161
- 162 .2 AUDIT COMMITTEE - The members of the Audit Committee shall be the Finance Vice-
163 Chair, who shall serve as chair; the Administrative Vice-Chair; and the Senior Coach
164 Representative, and a sufficient number of athletes so as to constitute at least twenty
165 percent (20%) of the voting membership of the Committee.
166
167
- 168 .3 BUDGET COMMITTEE - The members of the Budget Committee shall be the General
169 Chair, the Finance Vice-Chair, who shall serve as chair, the Treasurer, the
170 Administrative Vice-Chair, the Program Development Vice-Chair, the Program
171 Operations Vice-Chair, the Senior Athlete Representatives, the Senior Coach
172 Representative, the Age Group Committee Chair, the Senior Committee Chair and a
173 sufficient number of athletes so as to constitute at least twenty percent (20%) of the
174 voting membership of the Committee.
175
- 176 .4 COACHES COMMITTEE - The members of the Coaches Committee shall be the Coach
177 Representatives; the At-Large Board Member, who is the required Coach Member,
178 and at least four (4) additional Coach Members as may be determined by the Coach
179 Representatives, and a sufficient number of athletes so as to constitute at least twenty
180 percent (20%) of the voting membership of the Committee with consideration to the
181 benefits of equal geographic representation and diversity in size and identity of Club
182 Member affiliation, among other factors. The Senior Coach Representative shall serve
183 as chair.
184
- 185 .5 FINANCE COMMITTEE - The members of the Finance Committee shall be the General
186 Chair; the Finance Vice-Chair, who shall serve as chair, the Administrative Vice-
187 Chair, the Treasurer, and a sufficient number of athletes so as to constitute at least
188 twenty percent (20%) of the voting membership of the Committee.
189
- 190 .6 OFFICIALS COMMITTEE – The members of Officials Committee shall be the Officials
191 Chair, who shall serve as chair, and at least two other members, each of whom shall
192 be a certified CSI official, and a sufficient number of athletes so as to constitute at
193 least twenty percent (20%) of the voting membership of the Committee.
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196 .7 PERSONNEL COMMITTEE – The members of the Personnel Committee shall be the
197 General Chair, who shall serve as chair; the Administrative Vice-Chair; and the
198 Finance Vice-Chair, and a sufficient number of athletes so as to constitute at least
199 twenty percent (20%) of the voting membership of the Committee.
200

201 **Note: The Program Development Committee Chair recommends adding the Adapted Swimming**
202 **and Open Water Swimming Coordinators to the Program Development Committee.**

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204 **Note: The Program Development Committee Chair recommends changing Program Development**
205 **Committee quorum from a majority of members to seven (7) members.**
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- 207 .8 PROGRAM DEVELOPMENT COMMITTEE - The members of the Program Development
208 Committee shall be the General Chair; the Program Development Vice-Chair, who
209 shall serve as chair; the Age Group Committee Chair; the Program Operations Vice-
210 Chair; the Senior Committee Chair; the Technical Planning Committee Chair; the
211 Coach Representatives; the Athlete Representatives; the Diversity/Outreach
212 Coordinator; the Adapted Swimming Coordinator; the Open Water Coordinator; the
213 At-Large Board member who is required to be a Coach Member; and a sufficient
214 number of athletes so as to constitute at least twenty percent (20%) of the voting
215 membership of the Committee. A quorum for the Program Development Committee
216 shall be seven (7).
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219 .9 TECHNICAL PLANNING COMMITTEE - The members Technical Planning Committee
220 shall consist of the Technical Planning Committee Chair, who shall serve as chair; an
221 Athlete Member; and at least six (6) additional members, of whom at least fifty percent
222 (50%) shall be Coach Members and a sufficient number of athletes so as to constitute
223 at least twenty percent (20%) of the voting membership of the Committee. The Athlete
224 Member and the additional members shall be appointed by the General Chair with the
225 advice and consent of the Board of Directors.
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231 **ARTICLE 8**
232 **ANNUAL AUDIT, REPORTS, AND REMITTANCES**
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234 **NOTE: The recommendation is to change the annual audit completion date to allow an extra**
235 **month (from the 3rd month to the 4th month).**
236

- 237 8.5 ANNUAL AUDIT - An annual audit, or review, of CSI's accounts, books, and records
238 shall be completed no later than the end of the fourth month following the end of its fiscal
239 year.
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243 ARTICLE 10
244 ADMINISTRATIVE REVIEW BOARD

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246 NOTE: USA Swimming has restructured LSC Board of Review to handle LSC administrative
247 matters only. This hearing body is now named Administrative Review Board.
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249 10.1 INTRODUCTION - USA Swimming was organized as the National Governing Body for the
250 sport of swimming under the Amateur Sports Act of 1978, as amended by the Ted Stevens
251 Olympic and Amateur Sports Act of 1998, both federal laws. These laws require USA
252 Swimming to establish and maintain provisions for the swift and equitable resolution of all
253 disputes involving any of its members. This Article, together with Section 602.2 and Part
254 Four of USA Swimming Rules and Regulations are intended to provide a clear statement of
255 member responsibilities and liabilities for infractions thereof and a mechanism for resolving
256 in an orderly and fair way all manner and kinds of disputes that may arise among its members
257 in connection with the sport of swimming. Accordingly, CSI has established the
258 Administrative Review Board to hear complaints and appeals regarding administrative
259 matters within the LSC which do not rise to the level of Code of Conduct violations and are
260 not appeals of sanction decisions. The Administrative Review Board shall have no
261 jurisdiction to hear complaints regarding conduct that may violate the USA Swimming Code
262 of Conduct or otherwise violate the policies, procedures, rules and regulations adopted by
263 USA Swimming or conduct that may bring USA Swimming, CSI, or the sport of swimming
264 into disrepute. This Article, together with Part Four of the USA Swimming Rules and
265 Regulations, is intended to provide a fair hearing before a group of independent and impartial
266 people. This Article and Part Four of the Rules shall be construed accordingly.
267

268 10.2 ADMINISTRATIVE REVIEW BOARD ORGANIZATION

269
270 .1 ESTABLISHMENT - The CSI Administrative Board of Review shall be independent and
271 impartial.
272

273 .2 MEMBERS - The Administrative Board of Review shall have at least nine (9) regular
274 members and at least four (4) alternate members. The Board of Review, and any
275 panel hearing a case, shall have a sufficient number of athlete members to constitute
276 at least 20% of its membership. The House of Delegates may increase the number of
277 regular or alternate members by resolution but subsequent to the adoption of these
278 Bylaws may only decrease the number of regular or alternate members upon the
279 expiration of any incumbents' terms of office. When a matter is being heard by less
280 than the full Board of Review, the panel hearing the case shall include a sufficient
281 number of athlete members so as to constitute at least 20% of the hearing panel. No
282 hearing shall proceed without the required athlete representation.
283

284 .3 ELECTION; TERM OF OFFICE; ELIGIBILITY

285
286 A Election - The House of Delegates shall annually elect regular and alternate
287 members of the Board of Review: Four regular and two alternate members shall
288 be elected in even-numbered years and five regular and one alternate member in
289 odd-numbered years.
290

291 B Term of Office - The term of office shall be two years. Each member and

292 alternate member shall assume office upon the start of the Fiscal Year and shall
293 serve until a successor is chosen.

294
295 C Eligibility - Each regular and alternate member of the Administrative Review
296 Board shall be an Individual Member of CSI and USA Swimming. In no case
297 shall elected members of the Board of Directors serve on the Administrative
298 Review Board.
299

300 .9 INCAPACITIES AND VACANCIES - Determination of Vacancy or Incapacity - In the
301 event of a vacancy in the office of the Chair, a Presiding Officer of any panel or
302 other members of the Administrative Review Board, the LSC shall have in place
303 reasonable written and published rules consistent with the laws of the state of
304 incorporation of the LSC to determine when such membership on the
305 Administrative Review Board becomes vacant or a Chair, Presiding Officer or
306 member becomes incapacitated. The determination as to when the Chair is
307 temporarily incapacitated shall be made, where the circumstances permit, by the
308 Chair and otherwise shall be within the discretion of the Administrative Review
309 Board, subject to any subsequent action of the Board of Directors.
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312 .11 *Legal ADVICE*

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314 Where appropriate or helpful, the Chair or Presiding Officer may consult the USA
315 Swimming General Counsel, the Chair of the USA Swimming Rules or
316 Officials Committees or of the Bylaws Subcommittee or an attorney (who need
317 not be a member of CSI, USA Swimming or the Administrative Review Board)
318 retained by the Administrative Review Board or the Chair regarding any issue
319 raised by a proceeding.
320

321 ~~B—Attorney as Presiding Officer—The Board of Review or the Chair may retain an~~
322 ~~attorney (who need not be a member of CSI, USA Swimming, or the Board of~~
323 ~~Review) to act as Presiding Officer at any hearing where it is appropriate or~~
324 ~~helpful. A Presiding Officer who is not a Board of Review member may not~~
325 ~~participate in the deliberations of the Board of Review or the designated panel~~
326 ~~or have a vote.~~
327

328 ~~C—Attorney's Fees and Expenses—Prior to retaining an attorney on any basis~~
329 ~~requiring the payment of fees to the attorney (the payment of expenses to an~~
330 ~~attorney providing services at no charge (pro bono publico) shall not be~~
331 ~~considered as a payment of fees for this purpose), the Chair or the Presiding~~
332 ~~Officer shall consult with the General Chair and the USA Swimming General~~
333 ~~Counsel. The Treasurer is authorized and directed to pay any fee and expenses~~
334 ~~charged by the attorney and approved by the Chair.~~
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336 10.3 GENERAL

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- .1 ADMINISTRATIVE POWER - The Administrative Review Board shall have the power and the duty to:
 - A Administer and conduct the affairs and achieve the purposes of the Administrative Review Board.
 - B Establish policies, procedures, and guidelines.
 - C Elect the Chair in accordance with Section 10.2.4.
 - 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 Administrative Review Board.
 - F Retain attorneys, agents, and independent contractors and employ those persons whom the Administrative Review Board may determine are appropriate, necessary, or helpful in the administration and conduct of its affairs, 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 Administrative Review Board 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 the authority and power granted to the Chair or the Presiding Officer, the exercise of the authority and powers of the Administrative Review Board and the decision of matters that 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 Administrative Review Board. The views of any dissenters shall be included in the record of the proceeding if requested by the dissenters. The Administrative Review Board exercise of authority and power shall be solely at 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 to the power and discretion of the Chair or Presiding Officer in appropriate circumstances 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 position under other alternative dispute resolution mechanisms.~~
- .4 TIMELINESS OF PETITION - The Administrative Review Board need not exercise its jurisdiction with respect to a complaint the subject matter of which occurred, or concerns or is founded on events that occurred, more than ninety (90) days prior to

385 the date the Petition is received. A determination not to exercise its jurisdiction as a
386 result of the untimeliness of a complaint may be made by the Chair alone and may be
387 the subject of a request for rehearing and, thereafter, appeal to the Zone Board of
388 Review pursuant to Part Four of the USA Swimming Rules and Regulations.
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- 391 .5 ~~FILING FEES—The Board of Directors or the House of Delegates may impose a~~
392 ~~schedule of generally applicable fees to be collected at the time a Petition, Request for~~
393 ~~Rehearing, or Request for Formal Hearing following an Emergency Hearing is filed~~
394 ~~with the Board of Review. If, on its own initiative or upon written request, the Board~~
395 ~~of Review determines it to be in the interest of justice and the sport of swimming, the~~
396 ~~filing fee may be waived on a case-by-case basis.~~
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400 ARTICLE 11

401 ORGANIZATION, AMENDMENT OF BYLAWS AND DISSOLUTION

402
403 **NOTE: USA Swimming has set deadlines to the amendments of LSC Bylaws.**
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- 405 11.3 BYLAW AMENDMENT - Any provision of these Bylaws not mandated by USA
406 Swimming may be amended at any meeting of the House of Delegates by a two-thirds
407 (2/3rds) vote of the members present and voting. Amendments so approved shall not take
408 effect until reviewed and approved by the USA Swimming Rules and Regulations
409 Committee. ~~These Bylaws shall be deemed amended ninety (90) days after the conclusion~~
410 ~~of any annual meeting of USA Swimming at which the corresponding provisions of Part~~
411 ~~Six of the USA Swimming Rules and Regulations are amended (or such later effective date~~
412 ~~established in the amending USA Swimming legislation) to the extent that such amendment~~
413 ~~affects a provision required to be included herein or is itself required to be included herein,~~
414 ~~unless CSI shall have requested permission of the USA Swimming Rules and Regulations~~
415 ~~Committee not to have such amendment take effect with respect to these Bylaws.~~
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421 **NOTE: USA Swimming has revised and deleted definitions.**
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- 423 16.2 DEFINITIONS - When used in these Bylaws, the following terms shall have the meanings
424 indicated in this Section, and the definitions of such terms are equally applicable to both the
425 singular and the plural forms thereof. Where a cross-reference to another Section of the
426 Bylaws appears within a definition, the definition is qualified by the more complete
427 definition found in that Section. ~~Additional definitions applicable solely to Article 10 are~~
428 ~~set forth in Section 10.2.~~ For an additional definition applicable solely to Article 12, see
429 Section 12.3:
430

- 431 .9 "Athlete Member" shall mean any individual who competes or has competed in a
432 substantive manner during any part of the three (3) immediately preceding years in
433 the sport of swimming and is in good standing as an Individual Member of CSI and

434 USA Swimming. For the purposes of meeting the requirement that twenty percent
435 (20%) of voting membership be held by athlete members, there shall be a rebuttable
436 presumption that a non-athlete member holding dual membership as an athlete
437 member shall only be considered as a non-athlete member.
438

439 .11 "Board Member" shall mean a member of the Board of Directors, including the At-
440 Large Board Members. ~~Where the context requires, the term does not include the~~
441 ~~Athlete Representatives or the Coach Representatives.~~
442

443 .13 ~~"Board of Review" shall mean the CSI investigative and judicial body established~~
444 ~~pursuant to Section 10.3.~~
445

446 .19 ~~"Club Safety Coordinator" shall mean the Active Individual Member designated by~~
447 ~~each Club Member to serve as its liaison with CSI and USA Swimming concerning~~
448 ~~safety matters (see Section 2.2.3).~~
449

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451 ~~.23 "CSI Office" shall mean the permanent office of CSI maintained in accordance with~~
452 ~~Article 14.~~
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455
456 NOTE: USA Swimming has eliminated the bylaw appendices.
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458 ~~APPENDIX A~~

459 460 ~~QUESTIONS AND ANSWERS ABOUT RESOLVING DISPUTES~~

461 462 ~~APPENDIX B~~

463 464 ~~SAMPLE LSC NOTICE OF HEARING~~

465 ~~(Form may, and should, be modified to fit the actual circumstances)~~
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