602.1.1

GROUP MEMBERS

Group Members are organizations operating in the Territory which have, upon application, been granted membership in USA Swimming and Hawaiian Swimming and paid the fees established by USA Swimming and Hawaiian Swimming pursuant to Article 603. An organization may be denied membership by the Membership/Registration Coordinator or the

Board of Directors for failure to satisfy the criteria for membership or for any reason for which a Group Membership could be terminated. Any denial of membership may be appealed to the Board of Review. An organization’s status as a Group Member is subject to its continued satisfaction of the criteria for membership and compliance with its responsibilities under these Bylaws, the USA Swimming Code, the rules, regulations, policies, procedures and codes of conduct and ethics of Hawaiian Swimming and USA Swimming may be terminated by a decision of the Board of Review or the National Board of Review. Except for Affiliated Group Members, Group Members in good standing shall be entitled to participate in the program of swimming conducted by Hawaiian Swimming and competitions sanctioned or approved by USA Swimming,

in accordance with Section 609.2.

A. Club Members

A Club Member is an organization which is in good standing as a Group Member of Hawaiian Swimming and USA Swimming, has athletes and coaches and participates in the sport of swimming. All athletes and coaches of the organization must be Individual

Members in good standing of Hawaiian Swimming and USA

Swimming.

B. Affiliated Group Members

An Affiliated Group Member is an organization which supports the sport of swimming and the objectives and programs of Hawaiian Swimming and USA Swimming, which is in good standing as a Group Member of Hawaiian Swimming and USA Swimming, but which does not have athletes and coaches who all are Individual Members of Hawaiian Swimming and USA Swimming.

602.1.2 INDIVIDUAL MEMBERS

Individual Members are individuals involved in the sport of swimming in the Territory who have, upon registration, been granted membership in USA Swimming and Hawaiian Swimming and paid the dues established by USA Swimming and Hawaiian Swimming pursuant to Article 603. Except for Life members, an individual who wishes to register as an unattached member of Hawaiian Swimming and is not affiliated with any Club Member of Hawaiian Swimming must reside within the geographical territory of Hawaiian Swimming. An individual may be denied membership by the Membership/Registration Coordinator or by the Board of Directors for failure to satisfy the criteria for membership or for any reason for which an Individual Membership could be terminated. Any denial of membership may be appealed to the Board of Review. An individual’s status as an Individual Member is subject to the Individual

Member’s continued satisfaction of the criteria for membership and compliance with the individual’s responsibilities under these Bylaws, the USA Swimming Code, the rules, regulations, policies, procedures and codes of conduct and ethics of Hawaiian Swimming and USA Swimming and may be

terminated by a decision of the Board of Review or the

National Board of Review. Except for Affiliated Individual Members and Life Members, Individual Members in good standing shall be entitled to participate in the program of swimming conducted by Hawaiian Swimming, and competitions sanctioned or approved by USA Swimming, in accordance with Section 609.1.

A. Athlete Members

An Athlete Member is an individual who participates or competes

in the sport of swimming and is in good standing as an Individual Member of Hawaiian Swimming and USA Swimming.

B. Coach Members

A Coach Member is an individual, whether or not affiliated with a

Group Member, who has satisfactorily completed all safety and other training required by Hawaiian Swimming and/or USA Swimming and who is in good standing as an Individual Member

of Hawaiian Swimming and USA Swimming. Any individual desiring to act in any coaching capacity at any competition sanctioned by USA Swimming must be a Coach Member in good standing of Hawaiian Swimming and USA Swimming.

C. Active Individual Members

An Active Individual Member is an individual other than a Coach

Member or an Athlete Member who is a trainer, manager, official, meet director, marshal, Board Member, At-Large House Member, officer, coordinator or committee chairman or committee member of Hawaiian Swimming or a Group Member Representative or alternate and any other individual desiring to participate in the sport of swimming and who is in good standing as an Individual Member of USA Swimming and Hawaiian Swimming.

D.Affiliated Individual Members

An Affiliated Individual Member is an individual interested in the

objectives and programs of Hawaiian Swimming 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 Hawaiian Swimming and USA Swimming.

E. Seasonal Athlete Members

A Seasonal Athlete Member is an individual who participates or

competes in the sport of swimming and has joined for one or two periods of time not longer than 150 days each in a registration year and is in good standing as an Individual Member of Hawaiian Swimming and USA Swimming.

F. Life Members

A Life Member is an individual who is a life member of USA Swimming and who resides, formerly resided or participated in the sport of swimming in the Territory and who is in good standing as a member of Hawaiian Swimming and USA Swimming.

602.2 MEMBERS’ RESPONSIBILITIES

602.2.1 COMPLIANCE

[first line is in new bylaws] Each Group and Individual Member shall not take or allow to be taken, any action, or conspire with or instigate any other person to take or allow to be taken, any action which could bring the sport of swimming, Hawaiian Swimming or USA Swimming into disrepute. By applying for and accepting membership in Hawaiian Swimming and USA Swimming, each Individual Member agrees to so abide and represents, except to the extent disclosed to Hawaiian Swimming and USA Swimming, that he or she has never been convicted of a crime involving sexual misconduct, child abuse, violation of a law specifically designated to protect minors, or similar offenses, or to have been found by a Board of Review or the National Board of Review to have committed actions which would be the basis for conviction and that she or he has never acted in a manner which might bring into disrepute Hawaiian Swimming, USA Swimming or the sport of swimming.

602.2.2 RESPONSIBILITY FOR INFRACTIONS

[First line in new Bylaws] Infractions of a Group Member include those committed or allowed to happen by its members, representatives, officials or coaches or by athletes who are competing as representatives of the Group Member or who are competing with the Group Member as unattached swimmers. Also included are infractions committed or allowed to happen by a person instigated by the Group Member or with whom the Group Member through any of those individuals conspired. Any Individual Member may be held responsible for any infractions committed or that were allowed to happen by the Individual Member. Also included are infractions committed or allowed to happen by a person instigated by the Individual Member or with whom the Individual Member conspired.

603.1 CLUB MEMBERS

Each Club Member and Seasonal Club Member shall pay an annual fee, consisting of a national club fee established by USA Swimming and a local club fee established by Hawaiian Swimming, together with any other charges, fees, etc. as may be established by Hawaiian Swimming.

603.2 AFFILIATED GROUP MEMBERS

The Board of Directors shall establish the annual membership fees and any other charges, fees, etc., for Affiliated Group Members.

603.3 ATHLETES

Each Athlete member and Seasonal Athlete Member shall pay an annual or seasonal fee, respectively, consisting of a national fee established by USA Swimming and a local fee established by Hawaiian Swimming.

603.4 COACHES

Each Coach Member shall pay an annual fee consisting of a national fee established by USA Swimming and a local fee established by Hawaiian Swimming, together with any other charges, fees, etc., as may be established by

Hawaiian Swimming

603.5 ACTIVE INDIVIDUAL MEMBERS

Each Active Individual Member shall pay an annual fee consisting of a national fee established by USA Swimming and a local fee established by Hawaiian Swimming, together with any other charges, fees, etc., as may be established by Hawaiian Swimming.

603.6 AFFILIATED INDIVIDUAL MEMBERS

The Board of Directors shall establish the annual membership fees and any other charges, fees, etc., for Affiliated Individual Members.

603.7 LIFE MEMBERS

The Board of Directors shall establish the annual or other membership fees, if any, and any other charges, fees, etc., for Life Members.

603.8.2 SERVICE CHARGE

[first line is in new bylaws]

For example, the service charge maybe a flat amount, an amount related to the number of events swum, the number of individual swims, the number of athletes entered, the cost of equipment and pool time provided, a percentage of receipts or profits or a combination of one or more of these or other bases.

603.9 FAILURE TO PAY

603.9.1 GROUP, COACH AND ACTIVE INDIVIDUAL MEMBER OBLIGATIONS

The failure of a Group Member, Coach Member or Active Individual Member to pay dues, fees, service charges, fines or penalties imposed by Hawaiian Swimming or USA Swimming within the time prescribed, as evidenced by a final decision of (i) a court of law, and/or (ii) the Hawaiian Swimming Board of Review or the National Board of Review, shall preclude the delinquent member from (a) participating in events sanctioned or approved by USA Swimming, (b) participating in any capacity in the affairs of USA Swimming, Hawaiian Swimming or any other LSC or (c) serving as a Group Member Representative, coach, manager, official, trainer or in any other capacity with any Club Member or with any group member of any other LSC unt

il the debt is satisfied.

603.9.2 ATHLETE MEMBER OBLIGATIONS

The failure of an Athlete Member or Seasonal Athlete Member to satisfy any financial obligations to USA Swimming, Hawaiian Swimming or their former LSCs, within the time prescribed, as evidenced by a final decision of (i) a court of law, and/or (ii) the Hawaiian Swimming Board of Review, the National Board of Review, shall preclude the delinquent member from (a) competing in any competition sanctioned by USA Swimming, (b) obtaining a reportable time achieved in events swum in any USA

Swimming sanctioned, approved or observed meet,(c) participating in any capacity in the affairs of USA Swimming, Hawaiian Swimming or any other LSC, or (d) practicing, exercising or otherwise participating in the activities of any Group Member or any group member of any other LSC until the debt is satisfied.

603.9.3 CLUB/INDIVIDUAL OBLIGATIONS

If a Club Member or a Seasonal Club Member has secured: (i) a final court judgment against an Individual Member for non-payment of financial obligations owed to the Club Member, and (ii) a final decision of the Hawaiian LSC Board of Review or the National Board of Review suspending such Individual Member’s membership rights as set forth below, then until the court judgment is satisfied, the Individual Member shall not (a) compete in any competition sanctioned by USA Swimming, (b) obtain a reportable time in events swum at any USA Swimming approved or observed meet, (c) participate in any capacity in the affairs of USA Swimming, Hawaiian Swimming or any other LSC, or (d) practice, exercise or otherwise participate in the activities of any Group Member or any group member of any other LSC.

603.9.4 INDIVIDUAL/CLUB OBLIGATONS

If an Individual Member has secured a final decision of(i) a court of law, and/or (ii) the Hawaiian LSC Board of Review or the National Board of Review against a Club Member for non-payment of financial obligations (such as a refund of training fees) to the Individual Member, then until the decision or judgment is satisfied, the delinquent or offending Club Member shall be precluded from (a) participating in events sanctioned or approved by USA Swimming and (b) participating in any capacity in the affairs of USA Swimming, Hawaiian Swimming or any other LSC, including being represented in the House of Delegates by its Group Member Representative.

603.9.5 CONTINUED FAILURE TO PAY, TERMINATION OF MEMBERSHIP

Continued failure to pay, within a reasonable period of time after a final decision of a court of law, the Hawaiian LSC Board of Review, or the National Board of Review, as determined by the Hawaiian LSC Board of Review or the National Board of Review, shall be cause for termination of membership.

**604.1.3 ATHLETE REPRESENTATIVES (SEE BOARD OF DIRECTORS IN BYLAWS SECTION 6.2)**

Four (4) Athlete Representatives shall be elected, 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 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 Hawaiian Swimming or another LSC and (d) have his or her place of permanent residence reside in the Territory and expect to reside therein throughout at least the first half of the term (other than periods of enrollment in an institution of higher education). The election of the Athlete Representatives shall be conducted annually during Hawaiian Swimming’s Long Course Age Group Swimming Championship, or other regularly scheduled meet designated by the Board of Directors.

604.1.3.1 Elections Process for Athlete Representatives

The election process for the Athlete Representatives shall be conducted in a manner consistent with Section 606.2.1 in the Bylaws, except that only Athlete members in good standing are eligible to vote for the Athlete Representatives. The Senior Athlete Representatives will conduct the elections and all ballots shall be returned to the Senior Athlete Representatives in order to be counted at the designated meeting for the elections. Only Athlete Members who are present at the designated meeting will be eligible to vote in case of a tie in the balloting. The two athletes who receive the most votes of the ballots cast and counted for the respective office through this process shall be elected.

**604.1.4 COACH REPRESENTATIVES (SEE BOARD OF DIRECTORS IN BYLAWS SECTION 6.2)**

Two (2) Coach Representatives shall be elected one each year, for a two- year term, or until their successors are elected. The election of the Coach Representative shall be conducted during Hawaiian Swimming’s Short Course Age Group Swimming Championship at a meeting timely called by the Senior Coach Representative 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.

604.1.4.1 Elections Process for Coach Representatives

The election process for the Coach Representatives shall be conducted in a manner consistent with Section 606.2.1 in the Bylaws, except that only coach members in good standing are eligible to vote for the Coach Representatives. The Senior Coach Representative will conduct the elections and all ballots shall be returned to the Senior Coach Representative in order to be counted at the designated meeting for the elections. Only Coach Members who are present at the designated meeting will be eligible to vote in case of a tie in the balloting. The coach who receives the most votes of the ballots cast and counted for the respective office through this process shall be elected.

**604.1.5 OFFICIALS REPRESENTATIVE (SEE BOARD OF DIRECTORS IN BYLAWS SECTION 6.2)**

One Officials Representative, who is an active certified official, shall be elected for a two-year term, or until her/his successor is elected. The election of the Officials Representative shall be conducted during Hawaiian Swimming’s Short Course Age Group Swimming Championship at a meeting timely called by the current Official Representative or the Board of Directors, and determined by a majority of the certified Officials in good standing present and voting or, failing that, at a time and place and in a manner designated by the Board of Directors.

604.1.5.1 Elections Process for Officials Representative

The election process for the Officials representative shall be conducted in a manner consistent with Section 606.2.1 in the Bylaws, except that only Official members in good standing are eligible to vote for the Official Representative. The Officials Representative will conduct the elections and all ballots shall be returned to the Officials Representative in order to be counted at the designated meeting for the elections. Only Official members who are present at the designated meeting will be eligible to vote in case of a tie in the balloting. The official who receives the most votes of the ballots cast and counted for the respective office through this process shall be elected.

* **604.5.1 TERM EXTENSIONS DURING TRANSITIONS**  Officers, delegates, representatives, and members in appointed positions whose terms would have expired with the close of the operating year will have their terms extended until the newly established date of commencement of the term of office during a transition period because of changes to Section 604.
* *604.8  NOMINATING COMMITTEE –*
* **604.8.1 MEMBERS OF NOMINATING COMMITTEE; ELECTION**  The Nominating Committee shall comprise not fewer than five (5) individual Members. The Nominating Committee members shall be elected biennially by the House of Delegates and will serve until their successors are elected. 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 Board of Directors. 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 or Executive Committee members. Section 606.3 shall apply to members of the Nominating Committee but service as the immediate past General Chairs shall not be counted for that purpose. If any member of the Nominating Committee resigns or otherwise becomes unable to participate in its affairs, the General Chair, with the advice and consent of the

**604.8.2 CHAIR OF THE NOMINATING COMMITTEE**

The Administrative Vice-Chair shall serve as Chair of the Nominating Committee.

**604.8.3 DUTIES OF NOMINATING COMMITTEE**

A slate of candidates for election as the officers, or committee chairs or coordinators specified in Section 606.1 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. The Nominating Committee shall also nominate a slate of candidates for the Nominating Committee to be elected at the same annual meeting of the House of Delegates.

**604.8.4 PUBLICATION OF NOMINATIONS**

Nominations by the Nominating Committee shall be published by distributing a slate of candidates together with the positions for which they have been nominated to each member of the House of Delegates and to each Group Member not less than twenty (20) calendar days prior to the election. This notice may be combined with the notice of the meeting pursuant to Section 604.15.1 where convenient. See Section 616.1.5 for the methods which may be used for the distribution.

**604.8.5 ADDITIONAL NOMINATIONS**

Additional nominations may be made from the floor of the House of Delegates by any member of the House of Delegates eligible to vote. Nominees must be present to accept the nomination from the floor or provide written acceptance if unable to attend the meeting.

**604.8.6 MEETINGS AND NOTICES**

Meetings of the Nominating Committee shall take place at a site within the Territory when called by the Chair or any three members of the Committee with a minimum of six (6) days notice required. Pertinent provisions of Sections 607.5 through 607.11 and Section 616.1.5 also apply to the Nominating Committee’s meetings and notices.

**604.8.7 QUORUM**

A quorum for any meeting of the Nominating Committee shall consist of not fewer than four (4) members. The committee shall act by a majority vote of its members voting in any meeting at which a quorum is present.

***604.13 MAIL VOTE***

Any action which may be taken at any regular or special meeting of the House of Delegates, except removals of Board Members, members of the Board of Review, elected committee chairs or coordinators and amendments of these Bylaws, may be taken without a meeting. If an action is taken without a meeting, the Secretary, by first class mail, postage prepaid, shall distribute a written ballot to every member of the House of Delegates entitled to vote on the matter. The ballot shall set forth the proposed action, provide an opportunity to specify approval or disapproval, and provide a reasonable time (but in no event less than the period specified in Section 604.15.1) within which to return the ballot to the Secretary. Action by written ballot shall be valid only when the number of votes cast in favor of the proposed action within the time period specified constitutes a majority of the votes entitled to be cast.

**604.13.1 Use of alternative communication technologies for elections**

Where communication technology allows for secure distribution and return of ballots using other than the U.S. mail, the Board of Directors may authorize such use in a manner consistent with the notification and return requirements above and within these by-laws.

***604.14 ORDER OF BUSINESS***

At all meetings of the House of Delegates the following shall be included in the order of business to the extent applicable. The order in which the various subjects are taken up may be varied.

Roll Call Reading,

correction and adoption of minutes of previous meeting

Reports of officers

Reports of committees and coordinators

Presentation and approval of the annual budget

Presentation and approval of the annual audit pursuant to Section 8.5, when applicable

Unfinished (old) business

Elections

New business

Resolutions and orders

Adjournment

*605.7 EXECUTIVE COMMITTEE (moves to 7.4.5 in new template)*

*605.18 ORDER OF BUSINESS*

At all meetings of the Board of Directors the following shall be included in the order of business to the extent applicable. The order in which subjects are taken up may be varied.

Roll Call Reading,

correction and adoption of minutes

Report of Executive Committee

Reports of officers

Reports of committees and coordinators

Presentation of the annual budget and adoption of recommendation to the House of Delegates

Presentation of the annual audit report pursuant to Section 8.5 and adoption of its recommendation to the House of Delegates

Advice and Consent to Appointments

Unfinished (old) business

New business

Approval of applications for Group Membership and Affiliated Individual Membership

Resolutions and orders

Adjournment

*606.2 ELECTIONS (designation of the term and year of election is listed for each officer in the new template)*

The House of Delegates, at its annual meeting, shall elect the General Chair, the Administrative Vice-Chair, the Secretary, the Finance Vice-Chair, and the Senior Vice-Chair, in even-numbered years; and the Age Group Vice-Chair, the Treasurer, the Technical Planning Committee Chair, the Club, Athlete, and Special Programs Development Coordinator, and the Membership/Registration Coordinator in odd-numbered years. The House of Delegates shall also elect the Board of Review (see Section 610.3.3) and the nominating committee (see Section 604.8).

**606.2.1 Elections Process for Officers, Nominating Committee, and Board of Review**

In order to encourage and allow the widest opportunity for the members of the House of Delegates to participate in the elections process, ballots will be sent by any secure method of distribution to the delegates which they may return to the Secretary to be counted at the designated annual meeting at which elections are being held.

606.2.1.1 Ballot Distribution

Ballots will be distributed a minimum of 20 days prior to the designated annual meeting for the elections.

606.2.1.2 Casting Ballots

Ballots may cast in two ways:

606.2.1.2.1 Ballots may be brought to the annual meeting and cast during the elections at that meeting.

606.2.1.2.2 Ballots may be returned to the Secretary by email from the registered delegate’s personal email account (or other approved secure means) or by U.S. mail so as to be received by the Secretary two days prior to the annual meeting. They will be counted at the annual meeting along with those ballots that are cast in-person at the meeting.

606.2.1.2.3 Delegates returning ballots by mail or other approved means may write-in qualified candidates for any of the available positions.

606.2.1.3 Criteria for declaring election winners The candidate who receives the most votes of the ballots cast and counted for the respective office at the annual meeting shall be elected.

606.2.1.4 Resolving a tie in election results In the case of a tie, the members of the House of Delegates who are present at the meeting will be asked to break the tie on a ballot issued at the meeting. Their vote will be considered binding.

**(Duties and Powers of Officers)**

**606.7.1 GENERAL CHAIR**

The General Chair shall oversee and have general charge of the management, business, operations, affairs and property of Hawaiian Swimming and general supervision over its officers and agents, shall call meetings when and where deemed necessary, shall preside at all meetings, and, except as otherwise provided in these Bylaws and with the advice and consent of the Board of Directors, shall appoint committee chairs and members of standing and special committees or coordinators as may be necessary to permit Hawaiian Swimming to effectively, efficiently and economically conduct its affairs. The General Chair shall report to the Board of Directors all matters within the General Chair’s knowledge that the Board of Directors should consider in the best interests of Hawaiian Swimming.

**606.7.2 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 USA Swimming as are required by Article 608 of the Bylaws and shall perform the other duties incidental to the office of Secretary. The Secretary shall be custodian of the records and attest the execution of all duly authorized instruments. The Secretary shall cause to be kept copies of all minutes, official correspondence, meeting and other notices, and any other records of Hawaiian Swimming.

**606.7.3 TREASURER**

The Treasurer shall be the principal receiving and disbursing officer of Hawaiian Swimming. Except as otherwise directed by the Finance Vice- Chair or the Board of Directors, the Treasurer shall receive all moneys, incomes, fees and other receipts of Hawaiian Swimming and pay all bills, salaries, expenses and other disbursements approved by an authorized officer, committee Chair, coordinator, the Finance Vice-Chair, the Board of Directors or the House of Delegates, or required to be paid pursuant to Section 610.3.12. When authorized by the Board of Directors, income and expenses may be received and paid by a division, officer, committee or coordinator, provided that the division, officer, committee or coordinator promptly submits to the Treasurer an itemized report, duly attested by the division, officer, committee Chair or coordinator and either within the approved budget of such division, officer, 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 Chair. The Treasurer shall issue a monthly report listing the current budget variances by line item, all receipts, all expenditures and the current fund and account balances for the preceding month and for the fiscal year to date, together with such other items as the Finance Vice-Chair, the General 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 Hawaiian Swimming;
* B  cause the moneys, securities and other financial instruments of Hawaiian Swimming to be deposited in the name and to the credit of Hawaiian Swimming in such institutions as shall be designated in accordance with Section 606.11 or to be otherwise invested as the Finance Vice-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 Hawaiian Swimming to be disbursed by checks or drafts, automated debits or wire transfer on the authorized depositories of Hawaiian Swimming, and obtain and preserve proper voucher for all moneys disbursed;
* E  cause to be kept in the safe-keeping of the Treasurer 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-Chair or the Treasurer shall determine. The Treasurer’s custody of the books and records shall be as a fiduciary for Hawaiian Swimming and custody and fiduciary state shall end when the Treasurer leaves office and passes them on to the successor Treasurer;
* 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 financial reports and the annual audited financial statement to be exhibited to any member of Hawaiian Swimming or USA Swimming;
* G  cause Hawaiian Swimming to be in compliance with the requirements of Section 608.4;
* H  have the power to require from the officers, committee chairs, coordinators or agents of Hawaiian Swimming 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 Hawaiian Swimming;
* I  cause the annual audit of accounts of Hawaiian Swimming to be performed and cause the preparations 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 USA Swimming national headquarters in accordance with Sections 608.2 and 608.3;
* 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.

**606.7.4 ADMISTRATIVE VICE-CHAIR**

The Administrative Vice-Chair shall conduct meetings in the absence of the General Chair and, at the request of the General Chair or in the event of the disability of the General Chair, shall perform all of the duties of the General Chair, and when so acting shall have all of the powers of the General Chair. (See Section 606.9) The Administrative Vice-Chair shall chair, and have general charge of the business, affairs and property of the

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division that administers Hawaiian Swimming business and affairs. The Administrative 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, committees and coordinators. The Administrative Division shall be responsible for the creation and maintenance of Hawaiian Swimming’s Policies and Procedures Manual.

**606.7.5 SENIOR VICE-CHAIR**

The Senior Vice-Chair shall chair and have general charge of the affairs and property of the division that develops and conducts the senior swimming program of Hawaiian Swimming. The Senior 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.

**606.7.6 AGE GROUP VICE-CHAIR**

The Age Group Vice-Chair shall chair and have general charge of the affairs and property of the division that develops and conducts the age group swimming program of Hawaiian Swimming including the awarding meet sponsorships to Club Members, facilities and equipment rentals and meet management for all swimming meets sponsored by Hawaiian Swimming.

**606.7.7 FINANCE VICE-CHAIR**

The Finance Vice-Chair is the chief financial officer of Hawaiian Swimming. The Finance Vice-Chair shall chair and have general charge of the affairs and property of the division that includes the Treasury function, the development and implementation of an investment program for Hawaiian Swimming’s working capital, funded reserves and endowment funds and the development and implementation of a marketing and fund- raising plan for Hawaiian Swimming. The Finance Vice-Chair, with the assistance of the Budget Committee, shall prepare an annual budget for Hawaiian Swimming’s operation and present the budget for approval by the Board of Directors and the House of Delegates. In addition, the Finance Vice-Chair shall cause to be conducted the audit required pursuant to Section 608.5 and shall review the annual audit report and recommend acceptance and appropriate action, if any with regard thereto by the Board of Directors and the House of Delegates. The Finance Vice- Chair is responsible for the adequacy of Hawaiian Swimming’s system of internal financial and accounting controls. The Finance Vice-Chair is the Chair of the Finance Committee. Together with the Treasurer, the Finance Vice-Chair is ultimately responsible for Hawaiian Swimming’s compliance with Section 608.4.

**606.7.8 CLUB, ATHLETE, AND SPECIAL PROGRAMS DEVELOPMENT COORDINATOR**

The Club, Athlete, and Special Programs Development Coordinator (CASPDC) will chair the Club, Athlete, and Special Programs Committee and will coordinate educational programs for Hawaiian Swimming including, but not limited to, club development, swim camps, and parent education. The CASPDC will also coordinate diversity programs of USA Swimming, new club organization, and other special programs.

**606.7.9 ATHLETE REPRESENTATIVES**

The Athlete Representatives shall serve as the liaison between the athletes who are members of Hawaiian Swimming and the Board of Directors and the House of Delegates.

**606.7.10 COACH REPRESENTATIVES**

The Coach Representatives shall serve as a liaison between the coaches who are members of Hawaiian Swimming and the Board of Directors and House of Delegates.

**606.7.11 OFFICIALS REPRESENTATIVE**

The Officials Representative shall serve as a liaison between the officials who are members of Hawaiian Swimming and the Board of Directors and House of Delegates.

**606.7.12 AT-LARGE BOARD MEMBERS**

In addition to their inherent powers 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 General Chair, the Board of Directors or the House of Delegates.

**606.7.13 HAWAIIAN SWIMMING DELEGATES TO THE USA SWIMMING HOUSE OF DELEGATES**

* A  Officer and Representative Delegates It shall be the duty and privilege of the General Chair, the Administrative Vice-Chair, the Age Group Vice-Chair, the Senior Vice-Chair, the Senior Athlete Representative and the Senior Coach Representative to attend the USA Swimming annual meeting as representatives of Hawaiian Swimming and voting delegates to the USA Swimming House of Delegates.
* B  Officer Delegate Alternates If any of the officer delegates is unable to attend, their elected alternates if any, shall attend in their places. In the event that there are no elected alternates or the elected alternates are unable to attend, then the General Chair, with the advice and consent of the Board of Directors, shall appoint alternates who shall attend the USA Swimming annual meeting as delegates representing Hawaiian Swimming.

C Athlete Representative Alternates If an athlete delegate is unable to attend, the Athlete Representative next most senior in term of office shall attend. If seniority cannot be established or there remain no additional Athlete Representatives or alternates able to attend, then the General Chair, with the advice and consent of the Board of Directors, shall designate one or more Athlete Members to attend as a representative of Hawaiian Swimming.

D Coach Representative Alternates If the Senior Coach Representative is unable to attend the USA Swimming annual meeting, then the other Coach Representative shall attend, and if neither Coach Representative is able to attend, then the General Chair, with the advice and consent of the Board of Directors, shall designate a Coach Member to attend as a representative of Hawaiian Swimming.

Article 607 – the new template deletes the content describing the division, placing all that information in the Policies and Procedures.

DIVISIONAL ORGANIZATION AND JURISDICTIONS, STANDING COMMITTEES AND COORDINATORS  - The divisions of XXSI shall each be chaired as indicated below with respective duties, juris­dic­tion and responsibilities described in the XXSI Policies and Procedures.[[1]](#footnote-1)

.1 Administrative Division - Administrative Vice-Chair

.2Age Group Division - Age Group Vice-Chair[[2]](#footnote-2)

.3Senior Division - Senior Vice-Chair[[3]](#footnote-3)

.4Finance Division - Finance Vice-Chair

.5 Athletes Division - Senior Athlete Representative

.6 Coaches Division - *Senior* Coach Representative

**ARTICLE 607: DIVISIONS, COMMITTEES AND COORDINATORS**

*607.1 DIVISIONAL ORGANIZATION AND JURISDICTION, STANDING COMMITTEES AND COORDINATORS*

The eight divisions of Hawaiian Swimming shall each be chaired by a Vice-Chair, the Senior Athletes Representative, the Senior Coaches Representative, the Officials Representative, or the Club, Athlete, and Special Programs Coordinator, whose respective powers, duties, jurisdiction and responsibilities are described in Section 6.7. Under each division Vice-Chair there are officers, committees, coordinators and direct responsibilities as follows:

**607.1.1 ADMINISTRATIVE DIVISION – Administrative Vice-Chair**

Awards Banquet Bylaws/Legislation/Rules Elections Insurance

Legal (General Counsel, if applicable) Public Relations Publications/Newsletter Policies and Procedures Manual

Safe Sport Coordinator Safety

**607.1.2 AGE GROUP DIVISION – Age Group Vice-Chair**

Awards Computer Equipment Meet Sanctions Open Water Program Development Time Standards

**607.1.3 SENIOR DIVISION – Senior Vice-Chair**

Awards Meet Evaluations Meet Management Meet Sponsorship Open Water Time Standards

Program Development

**607.1.4 FINANCE DIVISION – Finance Vice-Chair**

Audit Budget Marketing/Sponsorship Swim-a-thon Tax

**607.1.5 ATHLETES DIVISON – Senior Athlete Representative**

Athlete Representatives Athlete Committee

**607.1.6 COACHES DIVISION – Senior Coach Representative**

Coaches Representatives Coaches Committee

**607.1.7 OFFICIALS DIVISION – Officials Representative**

Officials Representative Officials Committee

**607.1.8 CLUB AND ATHLETE DEVELOPMENT DIVISION – Club, Athlete and Special Programs Coordinator**

Club, Athlete and Special Programs Committee Club Development and New Club Organization Parent and Athlete Education Programs Swim Camps

Diversity, Disability and Outreach Programs (USA Swimming)

**607.2.2 DUTIES AND POWERS OF NON-OFFICER CHAIRS, COORDINATORS AND APPOINTED ADMINISTRATORS –**

* A  Membership/Registration Coordinator The Membership/Registration Coordinator shall be responsible for the registration of Group and Individual Members and shall make the reports required by Section 608.6 together with such additional reports as may be required by USA Swimming, the Board of Directors or the Administrative Vice-Chair.
* B  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 Hawaiian Swimming, the continuing review and development of the Hawaiian Swimming philosophy and for advising other committees and divisions regarding the implementation of that philosophy in the context of Hawaiian Swimming’s swimming program.

C Athletes Committee 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 interest of the Athlete Members, Hawaiian Swimming, USA Swimming and the sport of swimming.

* D  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 interest of the Coach Members, Hawaiian Swimming and the sport of swimming.
* E  Officials Committee Chair The Officials Committee Chair shall chair and have general charge of the business, affairs and property of the Officials 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 interest of the certified Officials, Hawaiian Swimming and the sport of swimming.
* F  LSC Times Administrator The LSC SWIMS Administrator is responsible for the LSC entries into the SWIMS Database, Top 16 reports, NRT, Records, Western Zone Entries, and other reportable times requirements.
* G  Safe Sport Coordinator  The Safe Sport Coordinator shall be responsible for the implementation and coordination of, and serve as the Hawaiian LSC liaison for, the Safe Sport Program established by USA Swimming. The Safe Sport Coordinator shall be a non-athlete member in good standing, and shall work with the USA Swimming Safe Sport staff, the USA Swimming Safe Sport Committee, and the Hawaiian Swimming Safe Sport Committee to implement pertinent aspects of the national Safe Sport Program within Hawaiian LSC. The Safe Sport Coordinator will:

1. Serve as the primary contact for Hawaiian LSC to coordinate and oversee the implementation of effective safe sport educational programs for all athlete members, their parents, coaches, volunteers and clubs, as provided by USA Swimming;
2. Be trained regarding the complaint reporting structure and refer all reports of a violation of the Athlete Protection policies directly to the local club, the General Chair, the USA Swimming Safe Sport staff, and/or other appropriate authority;
3. Participate in workshops as provided by USA Swimming, collect and share information about what USA Swimming and other LSCs are doing to promote safe sport policies, and disseminate information on LSC best practices;
4. Serve as an information resource for Hawaiian LSC clubs and membership, and will help to identify and connect them with local educational partners and resources;
5. Receive feedback and suggestions on the Safe Sport policies and programs from the Hawaiian LSC clubs and membership, and provide feedback to the USA Swimming Safe Sport Committee and Safe Sport staff; and
6. Perform other functions as necessary in the fulfillment of USA Swimming’s continuing efforts to foster safe, healthy and positive environments for all its members.

* H  Team The Team Hawaii Administrator is responsible for the Western Zones team, Oceania team, FINA and other related competition events where swimmers will swim as representatives of the LSC.
* I  Special Events Administrator The Special Events Administrator will coordinate special competitions as initiated by the Board.
* **607.3.1 BUDGET COMMITTEE (subsumed into Finance Committee in new template)**
* The members of the Budget Committee shall be the General Chair, the Finance Vice-Chair, who shall serve as Chair, the Treasurer, the Administrative Vice-Chair, the Senior Athlete Representative, the Senior Coach Representative, the Age Group Vice-Chair, the Senior Vice-Chair, and a sufficient number of athletes appointed so as to constitute twenty percent (20%) of the voting membership of the Committee.
* **607.3.3 OFFICIALS COMMITTEE**
* The members of the Officials Committee shall be the Officials Committee Chair, who shall serve as the Chair, the Officials Representative, at least two (2) other members, each of whom shall be a certified official of Hawaiian Swimming, and a sufficient number of athletes appointed so as to constitute twenty percent (20%) of the voting membership of the Committee. The members of the Committee shall include the Officials Coordinators from the Neighbor Islands. The Officials Representative may be appointed to chair the Officials Committee.
* **607.3.4 SAFE SPORT COMMITTEE**
* The members of the Safe Sport Committee shall be the Safe Sport Coordinator, who shall serve as chair, and at least four additional members; at least one shall be a Coach Member, at least two shall be at- large non-athlete members, and a sufficient number of athletes appointed so as to constitute twenty percent (20%) of the voting membership of the Committee.
* **607.3.5 SAFETY COMMITTEE**
* The members of the Safety Committee shall be the Safety Coordinator, who shall serve as the Chair, and five additional members; one shall be a Hawaiian Swimming certified official, one shall be a Coach Member, two shall be Club Safety Coordinators, and a sufficient number of athletes appointed so as to constitute twenty percent (20%) of the voting membership of the Committee.
* **607.3.6 TECHNICAL PLANNING COMMITTEE**
* The members of the Technical Planning Committee shall be the Technical Planning Chair, who shall serve as Chair, at least six (6) additional members of whom at least fifty percent (50%) shall be Coach Members, and a sufficient number of athletes appointed so as to constitute twenty percent (20%) of the voting membership of the Committee. The Athlete Members and the additional members shall be appointed by the General Chair with the advice and consent of the Board of Directors.
* The General Chair or the respective division vice-Chair may appoint the specified additional members and any other members deemed appropriate or necessary for any of the foregoing standing committees, except the Athletes and Coaches. Committee members appointed pursuant to the preceding sentence, shall hold their appointments at the pleasure of the appointing officer or successor.

*607.4 DUTIES AND POWERS OF STANDING COMMITTEES AND COORDINATORS*

**607.4.1 BUDGET COMMITTEE**

The Budget Committee is authorized and obligated to consult with the officers, committee chairs and coordinators and prepare and present a proposed budget for consideration and approval by the Board of Directors and the House of Delegates. The officers, committee chairs and coordinator shall provide promptly such financial information (current and projected) and budget proposals as the Budget Committee may request. The proposed budget may contain alternatives.

**607.4.2 FINANCE COMMITTEE**

The Finance Committee is authorized and obligated to develop, establish where so authorized or recommend to the Board of Directors and supervise the execution of policy regarding the investment of Hawaiian Swimming’s working capital, funded reserves and endowment funds, within the guidelines, if any, established by the Board of Directors or the House of Delegates. The Finance Committee shall also regularly review Hawaiian Swimming’s equipment needs (both operation and office) and the various methods available to finance the acquisition of any needed equipment, make a determination of the best financing method for Hawaiian Swimming and make recommendations to the Budget Committee and the Board of Directors. When the Finance Committee functions as the audit committee, the Treasurer shall not act as a member of the Finance Committee (See Section 607.3.2). The Finance Committee is authorized to, and, in lieu of an independent auditor, it shall be its duty to, conduct an annual audit of the books of Hawaiian Swimming pursuant to Section 8.5 and present the results thereof to the Board of Directors.

**607.4.3 OFFICIALS COMMITTEE**

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The Officials Committee is authorized and obligated to recruit, train, test, certify, evaluate, retest, recertify and supervise officials for Hawaiian Swimming and such other activities as may be necessary or helpful in maintaining a roster of qualified, well-trained and experienced officials of the highest caliber.

**607.4.4 SAFE SPORT COORDINATOR**

The purpose of the Hawaiian LSC Safe Sport Committee is to ensure implementation of the USA Swimming’s Safe Sport policies, guidelines, educational programs, reporting and adjudication procedures which are intended to help provide as safe, healthy and positive environment as possible for all USA Swimming members. The Safe Sport Committee will:

* Coordinate and oversee the implementation of effective ongoing educational programs for all athlete members, their parents, coaches, volunteers and local clubs as provided by USA Swimming;
* Be the primary contact for the club members in Hawaiian LSC to share information about what USA Swimming and other LSCs are doing regarding Safe Sport policies and programs; and to collect, develop and disseminate information on LSC best practices;
* Serve as an information resource for clubs by, among other things, helping to identify and connect them with local educational partners and resources;
* Perform other functions as necessary in the fulfillment of USA Swimming’s continuing efforts to foster safe, healthy and positive environments for all its members; and
* Be available to work on special projects, educational programs and assignments as needed.

**607.4.5 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 Hawaiian Swimming. The Safety Coordinator shall develop programs and policies and their implementation to the applicable division Vice-Chair and the Board of Directors. When approved by the Board of Directors, the Safety Coordinator shall be responsible for the coordination of their implementation by the Club Member. The Safety Coordinator shall prepare and transmit the reports required pursuant to Section 608.7.

**607.4.6 TECHNICAL PLANNING COMMITTEE**

The Technical Planning Committee shall be responsible for long-range planning for the swimming programs conducted by Hawaiian Swimming and for advice regarding the technical aspects of those programs and of the sport of swimming generally.

*607.16 ORDER OF BUSINESS*

At all meetings conducted under the authority of this Article, the following shall be included in the order of business to the extent applicable; the order in which subjects are taken up may be varied:

Roll Call Reading,

correction and adoption of minutes

Reports of coordinators, committees and subcommittees

Unfinished (old) business

New business

Resolutions and orders

Adjournment

**ARTICLE 608: ANNUAL AUDIT, REPORTS AND REMITTANCES**

* *608.1  MINUTES*  The Secretary shall, within thirty (30) days after each meeting of the Board of Directors and the House of Delegates, transmit a copy of the minutes of the meeting to the respective members and to USA Swimming national headquarters.
* *608.2  FINANCIAL AND FEDERAL TAX REPORTS*  The Secretary shall forward to USA Swimming national headquarters a copy of the annual closing Balance Sheet and Statement of Income and Expense for the preceding fiscal year following completion of the audit of the accounts and internal financial controls and procedures of Hawaiian Swimming and the report thereon prepared in accordance with Section 608.5 within fifteen (15) days of receipt of the audit report and shall advise USA Swimming national headquarters within thirty (30) days following acceptance by the House of Delegates. Copies of any corresponding federal income tax return required to be filed by Hawaiian Swimming under the IRS Code shall be included with the annual audit report sent to USA Swimming national headquarters.
* *608.3  STATE AND LOCAL REPORTS AND FILINGS*  The Secretary shall cause to be made all reports and non-tax filings and shall requisition from the Treasurer checks with which to pay any applicable fees required by its state of incorporation and by any other state or municipality in which it operates.
* *608.4  PUBLIC AVAILABILITY OF CERTAIN INFORMATION*  Hawaiian Swimming shall cause to be made available at a reasonable location and time determined by Hawaiian Swimming to anyone requesting to see a copy of Hawaiian Swimming’s federal income tax and information returns for each of the last three years, and a copy of the materials submitted by USA Swimming to include Hawaiian Swimming in USA Swimming’s group exemption ruling as required pursuant to IRS Code section 6104 and any similar requirements of applicable state or local laws.
* *608.5  ANNUAL AUDIT*

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An annual audit of the accounts, books and records of Hawaiian Swimming shall be completed no later than the end of the third month following the end of its fiscal year. The audit, or review, shall be conducted by an independent auditor who shall be a certified public accountant or by the Finance Committee. The audit shall cover any federal, state or local income tax return that Hawaiian Swimming is required to file under the IRS Code or applicable provisions of state or local law, rules or regulations, the balance sheet, the statement of income and expenses, check register and bank statements and other records as is deemed appropriate. If the audit or review is conducted by the Finance Committee, the committee shall issue a report signed by all of its members and stating that the financial records and reports of Hawaiian Swimming have been reviewed and fairly present the financial condition of Hawaiian Swimming as of the date of the balance sheet and for the fiscal period of the statement of income and expenses and the report is true and correct to the best of the Committee’s knowledge, information and belief. If the audit, or review, is conducted by an independent auditor, the report shall be in accord with generally accepted auditing practices applicable to the audit or review, as the case may be.

*608.6 MEMBERSHIP AND REGISTRATION REPORTS*

The Membership/Registration Coordinator shall forward in a timely manner all required reports to the Executive Director of USA Swimming. This report shall be accompanied by the remittance of the appropriate membership and registration fees due to USA Swimming. The Membership/Registration Coordinator shall make periodic summary reports to the Board of Directors and the House of Delegates.

*608.7 SAFETY REPORTS*

**608.7.1 INCIDENT/OCCURRENCE REPORTS**

An occurrence report providing all of the information requested by applicable USA Swimming form should be completed at the time of the occurrence by the meet director, officer, coach or club officer with copies to the USA Swimming national headquarters, the Safety Coordinator and the Administrative Vice-Chair.

**608.7.2 REPORTS OF INJURIES**

The Safety Coordinator shall present a report concerning swimming- related injuries within the Territory at each House of Delegates and Board of Directors meeting.

A House of Delegates Reports The report to the House of Delegates shall be written and shall provide in summary form the pertinent information including whether the injured party is a member of Hawaiian Swimming and USA Swimming, the location of the occurrence and a brief description of the incident, the resulting injury and the emergency-

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care steps taken, together with any recommendation for action by Hawaiian Swimming and its members to reduce the likelihood of a re-occurrence and the status of that recommendation. The written report shall include a review of the pertinent statistical information provided by USA Swimming national headquarters. The Safety Coordinator is responsible for distribution of this report to each Club Safety Coordinator. A copy of each House of Delegates report shall also be sent to the USA Swimming national headquarters.

B Board of Directors Reports The regular report to the Board of Directors may be a summary addressing primarily any recommendation for action by Hawaiian Swimming and its members.

**608.7.3 SAFETY EDUCATION**

The Safety Coordinator shall be responsible for disseminating safety information flowing from USA Swimming Headquarters and with the assistance of the Committee members, exploring safety education opportunities and developing a safety education program tailored to Hawaiian Swimming and its members and Territory.

*608.8 MAILING ADDRESS*

Hawaiian Swimming shall notify in writing USA Swimming national headquarters of any change in its regular mailing address within 14 days of the change.

*608.9 REPORTS GENERALLY*

Hawaiian Swimming shall make all reports and remittances to USA Swimming as specified in the USA Swimming Code or by the National Board of Directors or the National House of Delegates, in such a manner and on such written forms as may be requested by USA Swimming national headquarters. The General Chair, the Membership/Registration Coordinator, the Secretary and the Treasurer shall be collectively responsible for seeing that all required reports and remittances are made.

**ARTICLE 609: MEMBERS’ BILL OF RIGHTS**

*609.1 INDIVIDUAL MEMBERS’ BILL OF RIGHTS*

Hawaiian Swimming, in furtherance of Article 301 of the USA Swimming Code, shall respect and protect the right of every Individual Member who is eligible under Hawaiian Swimming and FINA rules and regulations to participate in any competition as an athlete, coach, trainer, manager, meet director or other official, so long as the competition is conducted in compliance with Hawaiian Swimming, USA Swimming and FINA requirements. Before any Individual Member is denied the right to participate in a competition, the individual shall have the right to request and have a hearing before, and a determination of, the Board of Review or the National Board of Review. If the Individual Member is permitted to participate subject to a protest, a hearing and determination may take place after the competition is concluded.

*609.2 CLUB MEMBERS’ BILL OF RIGHTS*

Hawaiian Swimming shall respect and protect the right of every Club Member which is eligible under Hawaiian Swimming, USA Swimming and FINA rules and regulations to participate in any competition through its athletes, coaches, trainers, managers, meet directors and other officials, so long as the competition is conducted in compliance with Hawaiian Swimming, USA Swimming and FINA requirements. Before any Club Member is denied the right to participate in a competition, the Club Member shall have the right to request and have a hearing before, and a determination of, the Board of Review or the National Board of Review. If the Club Member is permitted to participate subject to a protest, a hearing and determination may take place after the competition is concluded.

**ARTICLE 610: [for future use]**

**Section 611.3 (deleted material) remainder is in Section 9.3 of new template.**

These By-laws shall be deemed amended ninety (90) days after the conclusion of any annual meeting of USA Swimming at which the corresponding provisions of Part Six of the USA Swimming Code of Rules and Regulations are amended to the extent that such amendment affects a provision required to be included herein or is itself required to be included herein, unless Hawaiian Swimming shall have requested permission of the USA Swimming Legislation Sub-committee not to have such amendment take effect with respect to these Bylaws. LSCs are required to update their bylaws and send a copy to bylaws@usaswimming.org within 60 days of the effective date of any changes to the Required LSC Bylaws by the USA Swimming HOD or the LSC HOD.

**611.3.1 Amendment Notice to members**

Proposed amendments to these Bylaws, except as noted in 611.3, shall be published for the members no later than the regularly scheduled Board meeting immediately prior to the House of Delegates meeting where the amendments are to be considered. The Board may modify the proposed amendment(s) at that Board meeting, provided the final version of the amendment(s) is posted to the website prior to the House of Delegates meeting.

ARTICLE 613 Parliamentary Authority (deleted material)

*613.2  VOICE AND VOTE*  Where in these Bylaws an Individual Member is described as having voice but not the right to vote, that Individual Member may participate in debate and ask pertinent questions in the discretion of the presiding officer, but may not make or second motions, orders or other proposals.

*613.3  SPECIAL RULES OF ORDER*  THIS SECTION IS RESERVED FOR FUTURE USE.

**ARTICLE 614: PERMANENT OFFICE AND STAFF**

THIS ARTICLE IS RESERVED FOR FUTURE USE.

**616 CONVENTIONS AND DEFINITIONS (THESE ARE NOT IN NEW TEMPLATE)**

**616.2.1 “Active Individual Member”**

“Active Individual Member” shall mean an individual other than a Coach Member, or an Athlete Member or a Seasonal Athlete Member who is a trainer, manager, official, meet director, marshal, Board Member, At- Large House Member, officer or committee Chair or member, coordinator, or a Group Member Representative or alternate and any other individual actively participating in the affairs of Hawaiian Swimming or the sport of swimming and who is in good standing as an Individual Member of Hawaiian Swimming and USA Swimming. (See Section 602.1.2.C.)

**616.2.2 “Affiliated Group Member”**

“Affiliated Group Member” shall mean any organization which supports the sport of swimming and the objectives and programs of Hawaiian Swimming and USA Swimming, but which does not have Athlete Members and Coach Members, which is in good standing as a Group Member of Hawaiian Swimming and USA Swimming, and which is neither a Club Member of Hawaiian Swimming. (See Section 602.1.1.B.)

**616.2.3 “Affiliated Group Member Representative”**

“Affiliated Group Member Representative” shall mean the individual appointed to represent an Affiliated Group Member in the House of Delegates. (See Section 604.1.1.)

**616.2.4 “Affiliated Individual Member”**

“Affiliated Individual Member” shall mean any individual interested in the objectives and programs of Hawaiian Swimming who resides, formerly resided or participated in the sport of swimming in the Territory, who is in good standing as a member of Hawaiian Swimming and USA Swimming

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and who is not an Active Individual, Athlete or Coach Member. (See Section 602.1.2.D.)

1. *LSCs are authorized to establish additional divisions to align with their programming needs.* [↑](#footnote-ref-1)
2. *Program Development may be substituted for Age Group (Division and Vice-Chair).* [↑](#footnote-ref-2)
3. *Program Operations may be substituted for Senior (Division and Vice-Chair).* [↑](#footnote-ref-3)