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	ADMINISTRATIVE REVIEW BOARD POLICIES AND PROCEDURES	4/2017

I. BACKGROUND AND PURPOSE. Article 610 of the Iowa Swimming, Inc. Bylaws creates the Iowa Swimming, Inc. (“ISI”) Administrative Review Board (“ARB”). The purpose of the ARB is to resolve disputes that may arise among members within the ISI Local Swim Committee (“LSC”). The ARB is intended to provide a fair hearing before a group of impartial people.

The ARB has no jurisdiction to hear, decide or otherwise adjudicate conduct or matters that are a violation of the USA Swimming code of conduct, sanction decisions or policies, procedures, rules and regulations of USA Swimming.

Section 610.3. B permits the ARB to establish policies, procedures and guidelines for the conduct of its business. The policies and procedures established in this Appendix A supplement and interpret the rules that are in Article 610 of the ISI Bylaws. The rules established in Article 610 of the ISI Bylaws supercede and control over any policy, procedure or guideline established by the ARB. The ARB has complete authority to establish its own policies, procedures and guidelines and the policies, procedures and guidelines do not need approval of either the ISI House of Delegates or the ISI Board of Directors. Any policy, procedure or guideline adopted by the ARB has the same force and effect as the Bylaws of ISI.

II. SCOPE OF REVIEW. The ARB scope of review is a De Novo procedure. The ARB may collect and use any evidence as part of its hearing and make any applicable decision it feels appropriate or necessary. A decision by the ARB is final and binding upon the parties to the decision.

III. ACCUMULATION AND USE OF INFORMATION AND EVIDENCE.

A. During the appeal process, the ARB shall follow its written procedures unless it decides to modify the procedures. A decision to modify the procedure shall be made by a majority vote of the members of the ARB.

B. All evidence obtained by or provided to the ARB during the investigation of the matter underlying the appeal to the ARB shall be distributed to all members of the ARB.

C. Following an appeal to the ARB, the parties involved in the matter shall provide to the ARB all information and evidence they feel necessary in order for the ARB to make its decision.

D. The ARB shall invite the party making the appeal (the “Appellant”) to provide any additional information and evidence to the hearing.

E. The ARB shall invite representatives from the opposing side of the matter (the “Appellee”) and the Appellant to meetings with the ARB to discuss the case.

F. The ARB may meet an unlimited number of times to discuss and analyze the information and evidence gathered in its review of the matter under review. However, for each matter under review, the ARB shall conduct at least the following meetings, in the order shown below. Multiple meetings may be held over any necessary time period in order for the ARB to make its decision.

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1. The ARB shall hold at least one preliminary internal meeting. The purpose of the preliminary internal meeting(s) is to discuss all evidence provided, and to compile an individual set of questions regarding the case for each party. The respective questions shall be provided to each party in advance of meeting with them.

2. If the Appellant accepted a meeting invitation, the ARB shall hold a meeting with its representative(s). Representative(s) of the Appellant shall be given the opportunity to argue their appeal, and to answer the advance questions provided by the ARB. The representative(s) of the Appellant shall be given the further opportunity to discuss and answer additional questions that may arise during the meeting.

3. If the Appellee has accepted a meeting invitation, the ARB shall hold a meeting with its representative(s). Representative(s) of the Appellee shall be given the opportunity to argue their original decision and to answer the advance questions provided by the ARB. The representative(s) of the Appellee shall be given the further opportunity to discuss and answer additional questions that may arise during the meeting.

4. The ARB shall hold at least one final internal meeting. The purpose of the final internal meeting(s) is to conclude all discussions of the hearing and to reach a decision. Per ISI Bylaws, 610.3.3, a decision is made by a majority vote of the ARB.

a. A decision may be proposed by any ARB member, at any time during or after the final meeting(s). It may be voted on if the proposal is seconded by another member of the ARB,.

b. Absentee votes not received by the Chair within seven days of communicating a proposed decision shall be considered abstentions.

c. If a proposed decision is approved by a majority vote of the ARB, then it shall be the final decision of the ARB.

d. The ARB may determine that it cannot reach a decision. Such a determination shall be made by majority vote as if it were a decision.

e. The ARB shall release a written opinion to the Appellant and Appellee to accompany its decision.

f. Per ISI bylaws, 610.3.3, any dissenters to the decision may release a written dissenting opinion.