



# **Bylaws**

**Revision Date: November, 2017**

SACRAMENTO SWIM LEAGUE BYLAWS

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**ARTICLE I. GENERAL**

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### Section 1.01 Name

The name of the organization shall be the “Sacramento Swim League,” a non-profit corporation, and, for designation purposes, shall be referred to in these bylaws as the “League.”

### Section 1.02. Purpose

The specific purpose for which the corporation is formed is to maintain a regional youth swim league for recreational competition; to educate, train and encourage young people to learn to swim; and to encourage good sportsmanship and fair participation in swim competitions.

### Section 1.03. Offices

- (a) The principal office of the League for the transaction of its business is located at the residence of the League's Secretary.
- (b) The League may also have offices at such other places within or without the State of California where it is qualified to do business, as its business may require and as the Board of Directors may from time to time by resolution designate, provided, however, that the Board shall incur no financial liability on behalf of the League in obtaining other offices without the prior approval of a majority of the members of the League.

## **ARTICLE II. MEMBERS**

### Section 2.01. Classes of Membership and Rights.

There shall be one (1) class of membership, as follows: Member clubs or organizations, hereafter called “Clubs.” The League shall be limited to an appropriate number of Clubs, and the membership, voting, and other rights, interests, and privileges of each Club shall be equal and as more fully set forth hereafter. Each Club shall elect a Club representative to serve as a Director and attend League meetings. Each Club shall have one vote. The vote shall be delegated to an official representative of the Club. Each Club shall designate to the League their official representative and alternates, which shall be individuals other than coaches and the League President.

- (a) The League may be a member of U.S.A. Swimming or similar organizations. The member Clubs of the League, at their discretion, can be members of U.S.A. Swimming or similar organizations.
- (b) Each Club shall submit for the League's approval, their choice of team colors. Clubs desiring to change colors must do so with the League's approval.

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### Section 2.02. Qualifications.

Qualifications for membership will include:

- (a) Established swim program.
- (b) Competitive number of swimmers (e.g., 50 or more).
- (c) Adequate facilities for dual meets.
- (d) Organized coaching program.
- (e) Demonstrated parental support.

### Section 2.03. Admission.

Admission of a new Club for membership in the League shall be as follows:

- (a) Upon application for membership in the League by a new Club, the President shall appoint, subject to the approval of the League, a committee consisting of three (3) people to review and screen all prospective Club applicants for membership in the League and make an appropriate recommendation to the Board of Directors at the earliest opportunity. The application shall be on such form as shall be prescribed from time to time by the Board of Directors, provided, however, that such form shall contain the statement that the applicant Club has read the Bylaws and Rules of the League, that it is familiar with and understands them, and that if admitted to membership, it agrees to be bound thereby.
- (b) Any Club recommended for membership, shall be voted on by member Clubs, and, if selected, shall be admitted to the League on a probationary period for one (1) swim season, at which time a final vote to admit that Club shall be taken by the Clubs at the September meeting. While Clubs on probationary status will not have a vote at League meetings, they must still be represented.
- (c) More than one negative vote by member Clubs voting through a secret ballot shall be required to prohibit probationary Club/Clubs from becoming permanent appointments.
- (d) A Club admitted on a probationary basis shall be required to pay the initiation fee (see Section 2.04 (a) of this Article II) and will be subject to all of the rules and regulations governing Clubs in the League.

### Section 2.04. Fees Dues and Assessments.

- (a) Clubs joining the League shall pay a twenty-five dollar (\$25.00) initiation fee which includes membership in the League and dues for the first year. This sum is due on the first day of May of that year or within thirty (30) days after approval of membership, whichever date is later.

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- (b) League dues shall be ten dollars (\$10.00) per Club calendar year, payable the first day of March each year.
- (c) There shall be a fee for League registration for each individual participant.
- (d) The amount of such fees for registration will be set each year by the Directors of the League.
- (e) The League registration fee for each participant need be paid only once per season.
- (f) Registration fees for League participants shall be sent by check to the League's Treasurer
- (g) Dues (and assessments) paid to the League become the property of the League and any severable or individual interest of any Club therein terminates on such payment.

### Section 2.05. Termination of Membership.

- (a) By Resignation. The membership of any member Club of the League shall automatically terminate on its written request for such termination delivered to the President or Secretary of the League personally or by United States mail. Such membership terminates when the request is received, provided, however, that such termination shall not relieve the resigning member of the obligation to pay any dues, assessments, or other charges theretofore accrued and unpaid.
- (b) By Nonpayment of Dues or Assessments. The membership of any member Club that fails to pay its dues or assessments when they become due and within thirty (30) days thereafter shall automatically terminate at the end of the such thirty-day period, provided it was given written notice, delivered to its representative personally or by United States Mail within ten days before the due date that such dues or assessments were due and payable as of said due date. In the event that such written notice is not given as herein required, then such membership shall automatically terminate for nonpayment of dues or assessments only if they are not fully paid within thirty days after such written notice is eventually given and delivered to its Representative in person or deposited in the United States mail, postage prepaid, and sent to them at their address as it appears on the books of the League.
- (c) Rights on Termination. All rights and interests of a member Club in the League shall cease upon termination of membership as herein provided.
- (d) Reinstatement. Any member Club whose membership is terminated as provided in this section may have its membership reinstated on such terms as

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the Board of Directors may deem appropriate by filing a written request therefore with the President or Secretary of the League or with any Director and on approval of the request by a majority of Directors present at the meeting at which the request is considered, provided that such request shall not be considered at any meeting at which a quorum is not present.

### Section 2.06. Suspension and Expulsion.

(a) The Board of Directors is authorized, as herein provided, to censure either privately or publicly, suspend from membership for a period of time of not more than (1) year, or to both censure and suspend and fine, or expel from membership any member Club, participant, coach, official, or other representative of this League for good cause. The term member as used in the following paragraphs shall mean any of the persons or entities named in this paragraph (2.06 a).

(b) “*Good cause*,” as used in this section, means:

- (i) Any conduct that brings the League into public disrepute or violates the purposes for which this League is formed;
- (ii) Any willful failure or refusal to abide by the Bylaws or Rules of this League;
- (iii) Any willful failure or refusal to abide by the terms of an award in any arbitration proceeding under the terms of this Article after having agreed in writing to do so and after having received notice of the award;
- (iv) Any willful failure or refusal to pay any assessment levied pursuant to the provisions of this Article; or
- (v) Any willful failure or refusal to abide by the Code of Ethics of the National Association if there may be one.
- (vi) Any conduct which, in the opinion of the Board of Directors, is prejudicial to the League’s welfare, good order, and discipline therein, or purpose of promoting good sportsmanship, physical fitness and team spirit.

(c) Definitions.

- (i) A “*private reproof*” is a reproof in letter form, signed by the President of the League or by any Director with the approval of a

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majority of Directors”. to the subject member by certified or registered mail, return receipt requested. A copy of the letter and the return receipt shall be filed with the minutes of the Board meeting imposing discipline.

- (ii) A “*public reproof*” is the same as a private reproof except that in addition to sending a letter to the subject member and filing a copy thereof, together with the return receipt, with the minutes of the Board meeting imposing discipline, a copy of the letter is read to the membership at the next following regular meeting at which a quorum is present.
- (iii) A “*suspension*” requires compliance with Subparagraph (ii) hereof and in addition all voting and other rights of the member during the term of its suspension are terminated, provided, however, that such member shall not be relieved of any liability for payment of dues or assessments falling due or levied during the period of suspension.
- (iv) An “*expulsion*” requires compliance with Subparagraph (ii) hereof and in addition thereto the membership of the member in this League is immediately and conclusively terminated, provided, however, that such member shall not be relieved of any liability for the payment of dues and assessments accruing prior to the hearing on the charges against him as herein provided
- (v) A “*fine*” may be imposed separately, in which case compliance with Subparagraph (i) hereof is required, or it may be imposed in addition to a public reproof or suspension.

### (d) Procedure:

- (i) Proceedings against a subject member may be initiated by resolution of the Board of Directors adopted at any meeting at which a quorum is present.
- (ii) On adoption of the resolution, the President or, if he is unable or refuses to act, the Vice-President shall schedule the matter to be heard by the Board of Directors at the next regular or special meeting held not less than twenty (20) days nor more than forty (40) days after the date the resolution is adopted as the case may be. The Secretary, or other person appointed by the President for the purpose, shall deliver at least ten (10) days prior to the date of the hearing a copy of the resolution, together with a notice of the time and place of the hearing,

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to the subject member either in person or by United States mail addressed to him at his address as it appears on the books of the League. Should the person whose duty it is to serve the notice fail or refuse to do so, such copy and notice may be delivered as herein provided by any Director of the League, and in such event the matter shall be heard at the next regular or special meeting of a quorum is present held not less than ten (10) days after the copy and notice are personally delivered or deposited in the United States mail. If a quorum fails to attend such meeting, the matter shall be heard at the next succeeding regular meeting or special meeting, provided, however, that if a quorum fails to attend such next succeeding regular or special meeting, the matter against the subject member shall be dismissed. Such dismissal shall be automatic and final, except that the alleged conduct of the subject member giving rise to the proceeding may be considered in any subsequent proceeding under this section based on future alleged misconduct.

- (iii) Notwithstanding any other provision in these Bylaws, notice of the meeting at which the hearing is first scheduled or subsequently scheduled shall be given to all Directors as required by these Bylaws for special meetings of Directors.
- (iv) The hearing shall be informal and the rules of evidence and rules of judicial procedure need not be observed. The hearing shall be presided over by the President of the League who shall (1) read the charges against the subject member; (2) require that the charges be verified by the testimony of the person or persons making them; (3) hear any other witnesses against the subject member; (4) allow the subject member to cross-examine each witness; (5) allow the subject member to make a statement in its own behalf; (6) allow the subject member to call witnesses in its own behalf; (7) allow the Directors present, when and as recognized by the chair, and subject to the control of the chair, to question witnesses, and (8) rule on the admission and exclusion of evidence and on questions of hearing procedure
- (v) After the hearing has closed, the Directors shall vote on whether to impose discipline or dismiss the matter. If they vote to impose discipline but cannot agree on the nature and extent thereof, the discipline shall be a private reproof as herein provided. The vote imposing discipline or dismissing the matter shall in either event be final.



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- (e) An expelled member shall not be eligible for readmission to the League prior to the expiration of one (1) year from the date of its expulsion.
- (f) All rights of the subject member in the League or in its property shall cease on its expulsion.

### Section 2.07. Transferability of Membership.

Membership in this League is nontransferable and non assignable.

### Section 2.08. Right to Inspect Records.

All records of this League shall be open to inspection on the written demand of any member at any reasonable time for a purpose reasonably related to its interests as such.

## **ARTICLE III. MEETINGS OF ASSOCIATION**

### Section 3.01. Place.

Meetings of the League shall be held at one of the member club's facilities or at such other place as may be designated from time to time by the President.

### Section 3.02. Regular Meetings.

Members shall meet regularly, every month from January to October and a combined meeting in November/December, on a day during the fourth week of each month as mutually established by the Board at the September meeting. Each Club shall have an official representative at all League meetings. If a league rep is absent from 2 consecutive league meetings the league will notify the team of the absence and recommend a replacement.

(a) Special meetings of members shall be called by the President or Secretary or any three (3) Directors of the League and held at such times and places within or without the State of California as may be ordered by resolution of the Board of Directors.

(b) A special July meeting shall be held the week of the League Championships. The July meeting will consist of three parts: Coaches' scratch meeting followed by Championship meet final review, and discussion and culminating with the official July League Board meeting.

### Section 3.04. Notice.

Notice of the time and place of meetings shall be by electronic mail or phone at least seven (7) days prior to such meeting.

### Section 3.05. Contents of Notice.

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Notice of meetings of members not hereby dispensed with shall specify the place, the day, and the hour of the meeting and, in the case of special meetings, the general nature of the business to be transacted.

### Section 3.06. Consent of Absentees.

The transactions of any meeting of members, however called and noticed, are as valid as though held at a duly called and noticed meeting if and only the following procedures are undertaken:

1. A quorum, is present at the meeting; AND
2. Each of the persons entitled to vote but absent from the meeting:
  - a. Signs a written waiver of notice; OR
  - b. Consents to the holding of the meeting; OR
  - c. Approves the minutes of the meeting.

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Such approval or waiver may take place before or after the meeting, as appropriate (approval of the minutes may only take place after; waiver of notice may take place before or after, etc.). All such waivers, consents, or approvals shall be filed with the League's records or made a part of the minutes of the meeting.

### Section 3.07. Quorum.

A quorum shall consist of no fewer than 50% plus 1. Board members do not count toward the quorum. League representatives or alternate league representatives are to vote.

### Section 3.08. Adjournment for Lack of Quorum.

In the absence of a quorum, no business shall be transacted. A special meeting may be called if there is League business which cannot wait until the next regular meeting. (See Section 3.03 on calling special meetings.)

### Section 3.09. Loss of Quorum.

The members present at a duly called or held meeting at which a quorum is present may continue to do business until adjournment notwithstanding the withdrawal of enough members to leave less than a quorum.

### Section 3.10. Voting.

Voting shall be by voice or email(see appendix A) vote, provided, however, that election of Officers and approval of membership for applicant Clubs shall be by secret ballot. Members shall not be permitted to vote or act by proxy, and cumulative voting shall not be authorized. All League matters, other than bylaw amendments and admission of new Clubs to the League, shall be decided by a majority vote.

### Section 3.11. Conduct of Meetings.

- (a) League meetings shall be presided over by the President of the League or, in his absence, by the Vice-President, or, in the absence of both, by a chairman chosen by a majority of the members present. The Secretary of the League shall act as Secretary of all meetings, provided that in their absence the presiding officer shall appoint another person to act as Secretary of the meeting.
- (b) Meetings shall be governed by Robert's Rules of Order; as such rules may be revised from time to time, insofar as such rules are not inconsistent with or in conflict with these Bylaws of this League, or with law.
- (c) Every act/or decision done or made by a majority of the Directors present at a meeting duly held at which a quorum is present is the act of the Board of Directors, and hence of the League, unless these Bylaws require a greater number or otherwise provide.

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## ARTICLE IV. DIRECTORS

### Section 4.01. Qualifications.

Directors shall be comprised of one member representative from each Member Club.

### Section 4.02. Election.

Each Member Club shall elect a club representative, pursuant to each Club's individual rules, to serve as a Director. The number of Directors will align with the number of Member Clubs within the League. Each Member Club shall have one vote.

### Section 4.03. Terms of Office.

Directors shall serve at the pleasure of the member Club which they represent and until their successors are appointed.

### Section 4.04. Duties.

It shall be the duty of the Directors:

- (a) To perform any and all duties imposed on them collectively or individually by law or by these Bylaws.
- (b) To employ such officers, agents, and employees as may be authorized from time to time by the vote or written consent of a majority of the members of the League.
- (c) To supervise all officers, agents, and employees of this League to assure that their duties are properly performed.
- (d) To register their addresses with the Secretary of the League, and notices of meetings sent to them at such addresses shall be valid notices thereof.

### Section 4.05. Compensation.

Directors shall serve without compensation.

### Section 4.06. Vacancies.

- (a) Vacancies in the Board of Directors shall exist (1) on the death, resignation or removal of any Director; (2) whenever the number of Directors authorized by the Bylaws is increased by an amendment to the Bylaws; and (3) on failure of the members in any election to elect the full number of Directors authorized.
- (b) The Board of Directors may declare vacant the office of a Director (1) if he is declared of unsound mind by an order of court, or finally convicted of a felony; or (2) if within sixty (60) days after notice of his election he does not

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accept the office either in writing or by attending a meeting of the Board of Directors.

- (c) Vacancies caused by the death, resignation, or disability of a Director or Directors, or by his or their removal as provided in these Bylaws or by an amendment of the Bylaws increasing the number of Directors authorized shall be filled by the representative Club.
- (d) Persons chosen to fill vacancies as in this section provided shall hold office for the unexpired terms of their predecessors, or until their removal or resignation as in these Bylaws provided.

### **ARTICLE V. OFFICERS**

#### Section 5.01. Number of Titles.

The officers of the League will be President, Vice-President, Secretary and Treasurer. The League may also have, at the discretion of the Board of Directors, one or more Assistant Secretaries, one or more Assistant Treasurers, and such other officers as the Board of Directors may from time to time appoint.

#### Section 5.02. Qualifications.

The officers: President, Vice-President, Secretary and Treasurer will be elected from the members of the Board of Directors. Other non-board officers of the League will be Registrar, Commissioner of Records, Computer Director, League Advisor and Past President which can be a member of any Member Club or former member. The offices of Registrar and Commissioner of Records may be combined to one non-board officer. Coaches are not to be allowed to serve as league officers.

#### Section 5.03. Nomination and Election.

A nominating committee of not less the three (3) individuals shall be appointed at the June meeting of each calendar year by the President to present nominations for officers at the Championship Scratch Meeting of each calendar year. Those individuals being considered for nomination must give their consent to serve, if elected, prior to being nominated. Officers shall be elected on alternate years to serve a two-year term. In even numbered years, the offices of Vice President, Registrar and Computer Director and in odd numbered years, the offices of President, Treasurer and Secretary will be elected. These officers, with the exception of the Past President, shall be elected by the Board at the September meeting of each calendar year and shall take office in October. The Past President shall automatically accede to his office upon completion of his term(s) as President.

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### Section 5.04. Compensation.

Officers shall serve without compensation.

### Section 5.05. Removal.

Any or all officers may be removed from office at any time by the vote of a majority of the member Clubs of the League. In the case of the removal of any officer, a new officer shall be elected to serve the unexpired portion of the term of his predecessor at the meeting at which the officer is removed.

### Section 5.06. Vacancies.

- (a) Vacancies in the office of President, Vice President, Secretary, Treasurer shall exist on the death, resignation, or removal of such officer or on the failure of the member Clubs in any election to fill the office.
- (b) The Board of Directors may declare vacant the office of President, Vice President, Secretary, Treasurer if any such officer is declared of unsound mind by order of the court, is finally convicted of a felony, or if, within sixty (60) days after notice of their election, does not accept the office in writing or by attending a meeting of the Board of Directors.
- (c) Vacancies caused by the death, resignation, or disability of an officer as in this section provided shall be filled by the members at the next regular or special meeting of which a quorum is present following the vacancy.
- (d) Officers elected to fill the vacancies as in this section provided shall hold office for the unexpired terms of their predecessors or until their removal or resignation as in these bylaws provided.

### Section 5.07. Duties of the President.

The President shall be the chief executive officer of the League and shall, in general, subject to the control of the Board of Directors, supervise and control the affairs of the League. He shall perform all duties incident to his office and such other duties as may be required by law, which may be assigned to him from time to time by the Board of Directors. Specifically, the President shall preside over all meetings of the League; shall act jointly with the Treasurer to administer the finances of the League; shall appoint committees and designate their chairman and duties; and, shall serve as League liaison to host team for the championship swimming meet.

### Section 5.08. Duties of Vice-President.

In the absence of the President, or in the event of his inability or refusal to act, the VicePresident shall perform the duties of President, and when so acting shall have all the powers of, and be subject to all the restrictions on, the President. He shall have such other

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powers and perform such other duties as may be prescribed by law, by the Bylaws of this League, or which may be assigned to him from time to time by the Board of Directors. Specifically, the Vice President shall conduct all meetings of the League in the absence of the President; shall be responsible for developing methods for the selection and training of officials for the League's competition; shall act as the chairman of the Annual Review Committee; and, shall be responsible for all League forms and awards. Vice President may update any forms, including the registration form and give to the Registrar.

### Section 5.09. Duties of Secretary.

The Secretary shall:

- (a) Certify and keep at the principal office of the League the original or a copy of its Bylaws as amended or otherwise altered to date.
- (b) Keep at the principal office of the League a book of minutes of all meetings of the Directors, recording therein the time and place of holding, whether regular or special, and, if special how authorized, notice thereof given, the names of those present at Directors' meetings, and the proceedings thereof and shall disburse these to the League's representatives, officers and coaches after each meeting.
- (c) Write all correspondence on behalf of the League and distribute an annual roster of the League's Clubs, Officers, representatives, and alternates and coaches.
- (d) See that all notices are duly given in accordance with the provisions of these Bylaws or as may be required by law.
- (e) Be custodian of the records of the League.
- (f) Exhibit at all reasonable times to any Director or elected officer of the League, or to his agent or attorney, on request therefore, the Bylaws, the roster, and the minutes of the proceedings of Directors' meetings.
- (g) Exhibit at all reasonable times to any member, or to his agent or attorney, on written demand therefore for a purpose reasonably related to the interests of such member, the Bylaws and the minutes of Directors' meetings, and they shall exhibit said reports at any time when required by the demand of ten (10) percent or more of the member clubs.
- (h) In general, perform all duties incident to the office of Secretary and such other duties as may be required by law, by these Bylaws, or which may be assigned to him from time to time by the Board of Directors.

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### Section 5.10. Duties of Treasurer.

Subject to the provisions of Article VII of these Bylaws, the Treasurer shall:

- (a) Have charge and custody of, and be responsible for, all funds and securities of the League, and deposit all such funds in the name of the League in such banks, trust companies, or other depositories as shall be selected by the Board of Directors.
- (b) Receive, and give receipt for, moneys due and payable to the League from any source whatever.
- (c) Disburse or cause to be disbursed the funds of the League as may be directed by the Board of Directors, taking proper vouchers for such disbursements.
- (d) Keep and maintain adequate and correct accounts of the League's properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains and losses.
- (e) Exhibit at all reasonable times the books of account and financial records to any Director or elected officer of the League, or to his agent or attorney, on request therefore.
- (f) Exhibit at all reasonable times to any member, his agent, or attorney, on written demand therefore for a purpose reasonably related to the interests of such member, the books of account and financial records of the League, and shall exhibit said records at any time when required by the demand of ten (10) percent or more of the member clubs.
- (g) Render to the President and Directors whenever he or they request it an account of any or all of his transactions as Treasurer and of the financial condition of the League.
- (h) Prepare, or cause to be prepared, and certify the financial statements to be included in the annual report to members.
- (i) If required by the Board of Directors or by the members, give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine.
- (j) In general, perform all duties incident to the office of Treasurer and such other duties as may be required by law, by these Bylaws or which may be assigned

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to him from time to time by the Board of Directors. Specifically, he shall keep an accurate record of all revenues and expenditures of the League; receive and disburse funds on behalf of the League and jointly administer the finances of the League with the President.

- (k) Shall serve as chairman of a budget committee and present to the Board of Directors by the March meeting a budget for the current season for League approval.

### Section 5.11. Duties of Registrar.

The Registrar shall keep an accurate record of all registrants with the League and determine the eligibility of registrants for League participation and competition. The Registrar shall keep an accurate record of all League records in both yard and metric distances for swimming. The Registrar or their appointed representative shall be responsible for verifying all League records broken at all League meets; shall issue League record certificates.

### Section 5.12. Duties of Computer Director.

The Computer Director shall be responsible to provide and budget Meet and Club management software for the League members, and notify members of required software revisions, ensuring software license compliance. If required, the Computer Director shall be:

- (a) Responsible to procure and budget a League web site.
- (b) Maintain operational procedures of the use of the Meet and Club management software, and related Meet entry files.
- (c) Provide software use instruction annually, if needed.
- (d) Coordinate with the Registrar to ensure the Clubs have updated event record files.
- (e) Ensure the League Championship entries and seeding conform to Championship Meet Rules, working with the Championship Meet Director to resolve issues, but is not required to serve as lead for Championship Scoring and Timing.
- (f) Maintain League Championship results for no less than two (2) years.

### Section 5.13. Duties of Past President.

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The Past President shall act in an advisory capacity to the League.

### Section 5.14 Duties of League Advisor

The League Advisor shall act in an advisory capacity to the League.

## **ARTICLE VI. COMMITTEES**

### Section 6.01.

The President, as provided for under his duties and elsewhere in these Bylaws, shall appoint, subject to the approval of the league board, various standing and other temporary committees as needed to conduct the business and activities of the League.

### Section 6.02.

The Standing Committees to be appointed are: Review, Budget, Nominations, and Protest. Duties of each and method of composition is defined elsewhere in these Bylaws.

### Section 6.03.

The President shall appoint a committee, subject to the approval of the league board, at the conclusion of each season to review all actions of the League during that season and to update the League's Bylaws and/or operating procedures accordingly.

## **ARTICLE VII. EXECUTION OF INSTRUMENTS, DEPOSITS AND FUNDS**

### Section 7.01. Execution of Instruments.

The Board of Directors, except as otherwise expressly provided in these Bylaws, may by resolution authorize any officer or agent of the League to enter into any contract and deliver any instrument in the name of and on behalf of the League, and such authority may be general or confined to specific instances, provided, however, that such contract or delivery is expressly authorized by the Bylaws and approved by the vote or written consent of a majority of the members of the League.

### Section 7.02. Checks and Notes.

Except as otherwise specifically determined by resolution of the Board of Directors, as provided in Section 7.01, or as otherwise required by law or by these Bylaws, checks, drafts, promissory notes, orders for the payment of money, and other evidences of indebtedness of this League shall be signed by the Treasurer or Assistant Treasurer and countersigned by the President of the League.

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### Section 7.03. Deposits.

All funds of the League shall be deposited from time to time to the credit of the League in such banks, trust companies, or other depositories as the Board of Directors may select.

## **ARTICLE VIII. BYLAWS**

### Section 8.01. Adoption, Amendment and Repeal.

These Bylaws shall become effective on their being signed by the Directors and on their adoption by the vote or written consent of a seventy-five percent (75%) majority of the member clubs of this League, and they may be amended or repealed, in whole or in part, and new Bylaws adopted by the vote or written consent of a seventy-five percent (75%) majority of the member clubs of the League. Amendments shall be presented at one meeting and voted on at the following regular meeting with all Clubs being notified in writing that an Amendment is to be voted on.

### Section 8.02. Certification and Inspection.

The original or a copy of the Bylaws, as amended or otherwise altered to date, certified by the Secretary of the League, shall be recorded and kept in a book which shall be kept in the principal office of the League, and such book shall be open to inspection by the members at all reasonable times during office hours.

## **ARTICLE IX. REPORTS, FISCAL YEAR, INSIGNIA, AND SEAL**

### Section 9.01. Financial Statement and Proposed Budget.

The Board of Directors shall cause a written financial statement and proposed budget to be prepared and submitted to the members in January of each year. The report shall summarize the League's activities for the preceding year and activities projected for the forthcoming year; the financial statement shall consist of a balance sheet as of the close of business of the corporation's fiscal year, contain a summary of receipts and disbursements, be prepared in such manner and form as is sanctioned by sound accounting practices, and be certified by the Treasurer or a public accountant.

### Section 9.02. Fiscal Year.

The fiscal year of the League shall be the calendar year beginning January 1 each year.

### Section 9.03. Insignia and Seal.

The Board of Directors may adopt, use, alter, or cancel a League insignia or seal, or both, and by rule shall prescribe the time, manner and place in which such insignia may be worn or used.

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## ARTICLE X. ELIGIBILITY OF PARTICIPANTS

This section is regarding the initial registration requirements of the League.

### Section 10.01.

All participants shall be registered with the League and may also be registered with other national, regional, or local swimming organizations. A liability release form shall be executed by a parent or legal guardian of each participant and filed with their Club Registrar each year prior to their competing in any official League meet. Each team will use the most recently approved league registration form. It is the responsibility of the league registrar to distribute this to the league by the December meeting preceding the year of competition

### Section 10.02.

Eligibility for registration shall be limited to bona fide members of the Clubs. Registration Rosters are due to the league registrar by the May League meeting unless a waiver of approval by the SSL Board is on file along with registration fees to be submitted to the League Treasurer. Ongoing waivers should be approved by the Board on a yearly basis.

### Section 10.03.

- (a) Individuals applying for registration must be between the ages of 4 – 18 as of June 1st of the current year. **This should be enforced (not a change, but emphasis)**
- (b) Individuals applying for registration for the first time shall provide evidence of birth date to their Club Registrar to determine the status of eligibility; any disputes as to eligibility may be brought before the League for settlement at the June meeting.

### Section 10.04.

Individuals shall be deemed ineligible if any of the following have occurred:

- (a) A new individual to the league participates in inter-collegiate (community college, college or university) swimming competition.
- (b) The individual has registered for or participated in any swimming competition from February 1 through March 31 of the current year, with the exception for those individuals swimming on their respective junior or senior high school teams.

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### Section 10.05.

Individuals applying for registration under conditions that constitute a change in membership or change in Club representation not covered in the eligibility provisions above shall be subject to a penalty period of ineligibility consisting of four (4) consecutive League meets of the Club with which they are registered, commencing with the date the registration application is received by the Registrar. The purpose of the penalty period shall be to discourage "team hopping" or recruiting of registered participants and may be waived by a majority vote of the Board of Directors.

### Section 10.06.

Member Clubs' Registrar shall be responsible for reviewing and maintaining evidence of birth for each registered swimmer.

### Section 10.07.

No participant who joins a Club under circumstances subject to the penalty period as determined by the Registrar or League may participate in any League meet prior to the termination of the applicable penalty period.

### Section 10.08.

The Registrar may recommend to the League the approval of an applicant for dual or championship meet competition whose registration applications were not properly filed due to human and/or technological error and who, in the judgment of the Registrar, complies with all other provisions of the eligibility clause and the overall intent of the League. The League shall take immediate action by the most expedient means to rule on the eligibility of the applicant, in accordance with Appendix E of the SSL Rules & Regulations: Procedures for Bylaw or Rules & Regulations Waiver.

### Section 10.09.

Swimmers not registered with the League are ineligible to participate in league sanctioned dual and championship meets. If it is discovered that a swimmer(s) has participated in dual meets without being registered with the League, the swimmer(s) can still become registered with the League provided all other eligibility criteria have been met. However, any points earned by swimmers(s) prior to registration will be forfeited by the team and there will be a fine of five hundred dollars (\$500) for each swimmer per incident (an incident is defined as one swimmer swimming without a completed registration). The club is responsible for the payment of the fine to the Sacramento Swim League It is due to the league before the championship meet. If it is not paid, all insured/registered swimmer(s) will be permitted to swim at Championship meet and gain individual points, but the team will not be awarded team points and will be unable to register with the league the following season until the fine is paid.

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## **ARTICLE XI. COMPETITIVE PROGRAM**

**This section is regarding the type and timeframe of competitive training a registered swimmer of the league can participate in during the current calendar year.**

### Section 11.01.

U.S.A. Swimming rules governing age group swimming shall apply with the exception of modifications contained herein and in the rules and regulations adopted for the swimming program.

### Section 11.02.

An adopted list of rules and regulations pertaining to the conduct of meets shall be established separately for the swimming programs and revised prior to each season as needed. These rules and regulations shall include age grouping, distances, entries, events, officials, scoring, and awards, as well as procedures for conducting the meets.

### Section 11.03.

Participants' ages shall be determined as of the 1st of June for that season.

### Section 11.04.

The schedule for the Dual Swim Meet program shall be provided by the November/December meeting. The Championship Meet shall be scheduled to occur not later than the first full weekend in August.

### Section 11.05. No Practice Between February 1 and March 31

No SSL Club shall conduct practice during the time period commencing February 1 and extending through March 31 of any calendar year. February is a dry month; clinics may occur in March. A team found to be in violation of this Section 11.05 shall not be eligible to participate in the next scheduled League championship meet. As used in these Bylaws, the term "practice" means any workout for the purpose of which is to build up and increase the physical conditioning and endurance of the swimmer. The term does not encompass stroke-and-turn instruction or clinics the focus of which is to promote improved swimming technique and which complies with Section 11.06.

### Section 11.06. Permitted Stroke-And-Turn Training Programs

Notwithstanding Section 11.05 an individual shall not be ineligible to participate during a League swimming season if the individual participates in a stroke-and turn clinic or swimming lessons during the month March, provided that the focus of said programs or lessons is to develop stroke technique and not for building up and increasing the physical

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conditioning and endurance of the swimmer. Said stroke-and turn clinics and lessons shall be limited as follows:

- (a) Each swimmer may participate no more than 60 minutes in one day.
- (b) Each swimmer may participate no more than three (3) days in a week, and
- (c) Each swimmer shall swim no more than 50 yards without stopping for instruction.

### Section 11.07. Events Causing Ineligibility

- (a) For the period commencing February 1 and ending March 31, an individual shall be ineligible if that individual participates in any swim practice or workout at the direction or supervision of any coach. For the purposes of this section, “*direction*” or “*supervision*” shall include any oral or written directions given by a coach to a swimmer.
- (b) For the period commencing February 1 and continuing through the completion of the championship meet, an individual shall be ineligible if that individual:
  - i. Swims in any United States Swimming-sanctioned meet, or ii. Participates in any stroke-and-turn clinic which does not comply with Section 11.06, iii. Practices with, or competes for, any swimming team other than the swimmer’s Club: then said individual shall be ineligible to register and participate (or continue participation, as the case may be) in the League swimming season occurring in said calendar year.
- (c) Sections 11.07 (a) and (b) notwithstanding, an individual will remain eligible to participate in the League swimming season if the individual participates on any of the following teams at any time between February 1 and the Championship Swim Meet:
  - i. High school swimming teams.
  - ii. Water polo or synchronized swimming teams.
  - iii. Intercollegiate (community college, college or university) swimming teams if the swimmer has graduated high school, but is still 18 or younger and is a returning swimmer to the league.
  - iv. Another Club of this League provided that the individual’s participation is limited to attendance at stroke-and-turn clinics sponsored by said other member Teams.
  - v. A Club which is a member of another recreational league, provided that said team has not practiced during the time period commencing on

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February 1 and running through March 31, and further that the individual's participation is limited to attendance at stroke-and-turn clinics sponsored by said other recreational team.

- (d) A participant who becomes ineligible after the League swimming season commences shall immediately cease participation in all League swimming meets remaining in the season. All points scored by the participant prior to the date of his ineligibility shall remain valid and in full force and effect. If a participant competes in a League meet while ineligible, all points scored by the participant and any relay of which the participant was a member shall be rendered null and void, and participant shall be deemed disqualified from all said events.

## ARTICLE XII. PROTESTS

### Section 12.01.

Disputes which arise during the course of a Dual Meet that cannot be settled by the individual clubs involved may be protested to the League's Protest Committee. The club entering the protest shall do so through its League Representative, who, in turn, must submit the protest in writing to the League Protest Committee chair within forty-eight (48) hours of the dispute. The written protest shall set forth the club(s) involved, individual(s) involved, the general facts and circumstances surrounding the dispute, the ruling of the official(s), and the ruling of the Meet Referee. A copy of the written protest shall be sent to the League Representative of any other club involved within two (2) days of receipt and they may submit a written reply to the protest prior to the hearing date set by the Protest Committee if they so desire.

The Protest Committee shall call a meeting within seven (7) days of the receipt of said written protest, and receive or call for additional evidence and/or testimony if the Chairman of the Committee so desires. The Protest Committee must render its finding within two (2) days of the hearing on said protest. Any team involved may appeal the findings of the Protest Committee to the League's Board of Directors and be heard at the next regular meeting of the Board or at a special meeting called by the President, if necessary. The Board of Directors' decision shall be binding in all cases.

### Section 12.02

Disputes which arise during the course of a Championship Meet may be protested by a Head coach from the protesting Club. The Head coach must submit the written protest to the Meet Referee for review of *in the water* issues or to the Meet Director for review of *out of water* issues. Protests must be submitted within one hour of the conclusion of each

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day's events. If a concern arises on Saturday, the protest must be submitted on Saturday within one hour of the conclusion of the last race. If the protest arises on Sunday, the protest must be submitted within one hour of the final race on Sunday.

If the protest is validated then all parties (teams) involved will be notified and presented with the written protest for review. After review by involved parties, whoever is presiding over the protest, Meet Referee or Meet Director, will try to resolve the issue with the parties. If the matter cannot be resolved, the League Protest Committee chairperson will be notified and the protest committee will be gathered. The League Protest Committee Chairperson shall call a meeting within 30 minutes of notification.

The League Protest Committee must render its finding within 30 minutes of the hearing and discussing the protest. The answer should be recorded, presented to the Meet Referee or Meet Director and then conveyed to the involved teams. The decision of the League Protest Committee at a Championship Meet is final unless there is a challenge that proper protest protocol and procedures were not followed.

In the event a team(s) have a challenge over how the protest procedures were followed, a separate protest is filed with the League President who will arrange for it to be presented and discussed by the League Board.

### Section 12.03

The League Protest Committee shall consist of one (1) member from each Club, preferably a previous or active member who is knowledgeable and familiar with League objectives. Protest meetings do not require presence of all members. A quorum shall consist of a minimum of three (3) members. Unless otherwise identified at the July Scratch Meeting, the protest committee will be composed of Club Championship representatives. The League President will preside as chairman of the committee, unless the League President is involved with one of the disputing clubs, the next ranking League official will preside.

### Section 12.04

If these protest guidelines are not followed, a protest committee decision can be challenged and be escalated for League Review.

Where these protest guidelines fail to incorporate specific circumstances, U.S.A. Swimming Rules shall apply.

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## ARTICLE XIII. CONSTRUCTION

Section 13.01. As used in these Bylaws:

- (a) The present tense includes the past and future tenses, and the future tense includes the present.
- (b) The masculine gender includes the feminine and neuter.
- (c) The singular number includes the plural, and the plural number includes the singular.
- (d) The word “*shall*” is mandatory and the word “*may*” is permissive.
- (e) The words “*Directors*” and “*Board*” as used in these Bylaws in relation to any power or duty requiring collective action, mean “*Board of Directors.*”
- (f) Define “*member*” as Club vs. individual.

Moved from Rules and Regulations to Bylaws:

### Appendix A. Email Voting Procedures

#### **General Procedures for Online Voting**

An online voting is initiated by a voting proposal followed by a discussion period (48 -72 hours). After the discussion period the voting period is started (24 hours). The voting is finished by calculating and publishing the voting results.

Results of online votes are effective immediately following publication of the results unless otherwise stated in the voting proposal.

This procedure assumes that voting will be conducted via email. Technology may advance so that alternative voting methods are possible, which may result in minor variations in the procedure identified below.

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Please note that times identified below are somewhat approximate, as it may be impossible to start the voting at exactly 48 hours after commencing the discussion period. The League is requesting that Board Members check their email at least every 48 – 72 hours.

### **Voting Proposal**

An online voting is initiated by a voting proposal followed by a discussion period. After the discussion period the voting period is started. The voting is finished by calculating and publishing the voting results.

Results of online votes are effective immediately following publication of the results unless otherwise stated in the voting proposal.

**Initiating the Voting Proposal:** Any league board member, including officers, can initiate a voting proposal (essentially a motion) through email to the entire board. The voting proposal email has to explicitly be marked as voting proposal by starting the email subject line with the string “SSL Voting Proposal: (TITLE)” (where TITLE is a short identifier for the proposal).

It is assumed that there will be a second to the motion, which allows entry into the discussion period.

The member who has initiated a vote can retract the voting proposal by sending an email to the membership list stating the intention to retract the proposal. A proposal can only be retracted within the discussion period.

### **Discussion Period (48 – 72 hours)**

The discussion period begins on the date and time the membership mailing list receives the voting proposal. Unless specified otherwise, **the discussion period lasts for 48 hours (or 72 if over a weekend)**. The discussion period should be used to discuss the voting and form opinions about the options which are available for voting.

At any point during the discussion period, a member may make a motion that the discussion be delayed until a regular scheduled board meeting. If this motion is made and seconded, then the online discussion period ends.

No voting should take place within the discussion period; merely discussion of the motion. If it is evident during the discussion period that a voting member is unavailable

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(i.e. bounce back message indicating vacation or otherwise), the Secretary or President will make a good faith effort to contact the team's alternate representative via email and include them (in addition to the original representative) in the discussion and voting. Failure of the alternate or original representative to participate will not invalidate the online voting procedure but may contribute to the failure to meet a quorum.

### **Voting (24 hours)**

**Requesting the Vote:** When the discussion period has finished, the President or his designee will request a private email vote from voting members only (League representative, excluding officers) on the motion. The subject line of the email should read: "SSL Vote: (TITLE)".

The email message should include the text of the proposal which is voted about.

**Voting Period:** The voting period commences at the date and time of the SSL Vote request. Unless specified, **the voting period lasts 24 hours** or until all voting members cast their vote (whichever occurs first). During the voting period the active members cast their votes. Voting members may decline to vote formally (by informing the designated vote recipient). Such votes would be considered abstentions. A non-response would be considered an absence, not an abstention.

According to the Bylaws, a quorum is 50% + 1. If less than 50% vote on a proposal, the motion fails and the topic will be agendaized for the next meeting. Abstentions count in the quorum (e.g. if quorum is 4 and 3 votes are in favor with 1 abstention, the motion would pass. If quorum is 4 and 2 votes are in favor with 2 abstentions, the motion would fail).

**Absences or non-responses do not count in the quorum.** Voting members will email their votes to the designated vote recipient (as identified in the Vote request) **not** as a Reply All. To clearly identify the vote, the subject line should read: "SSL Vote (TITLE):" followed by the vote and the team name (e.g. Yes/No/Abstain, AA) One vote per team.

Only votes cast within the voting period are considered for the results of the voting.

### **End of Voting/Publishing Results**

After the voting period all cast votes are counted and the results of the voting are published (via email), identifying the vote by team and the final outcome. A simple majority (of the quorum, not voting members (board)) is necessary to pass the proposal.

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Example: If there are a total of 9 voting members but only 5 actually voted ( 4 were absent from voting); and of the 5 votes, 3 were in favor – the proposal passes.

However, nothing in this electronic voting procedure shall apply to issues which require a majority vote under the Bylaws, such as deposing an officer, overriding standing rules, amending elections procedures, etc. The electronic voting procedure is meant only to determine issues which require a board vote and which cannot be delayed until the next meeting.

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