**ARTICLE 604**

 **HOUSE OF DELEGATES**

**604.1 MEMBERS** ‑ The House of Delegates of SN SWIMMING shall consist of the Group Member Representatives, the Athlete Representatives, the Coach Representatives, the Board Members designated in Section 605.1, and the At-Large House Members.

 .1 **Group Member Representatives**- Each Group Member in good standing shall appoint from its membership a Group Member Representative and one or more alternates. The appointments shall be in writing, addressed to the Secretary of SN SWIMMING and duly certified by the chief executive officer or secretary of the appointing Group Member. The appointing Group Member may withdraw its Group Member Representative or one or more of its alternates and substitute a new Group Member Representative or new alternates by written notice, addressed to the Secretary of SN SWIMMING and signed by the chief executive officer or secretary of the appointing Group Member.

.2**Athlete Representatives**- Four or more Athlete Representatives shall be appointed by the General Chair with the advice and consent of the Board of Directors, one or more each year for a two-year term or until their respective successors take office. At the time of appointment, each Athlete Representative must (a) be an Athlete Member or a Seasonal Athlete Member in good standing; (b) be at least 16 years of age or at least a sophomore in high school; (c) be currently competing, or have competed during the three immediately preceding years, in the program of swimming conducted by SNS or another LSC; and (d) have his or her place of permanent residence 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 General Chair shall make the appointment within 60 days of the meeting of the House of Delegates at which Board Members were elected. Prior to each year’s appointment, the current Athlete Representatives and the Athletes Committee shall be asked to nominate one or more Athlete Members or Seasonal Athlete Members for consideration.

 .3 **Coach Representatives**- Two (2) Coach Representatives shall be elected, one each year for a two-year term, or until their respective successors are elected. The election of the Coach Representative shall be conducted annually during SN SWIMMING's short course age group swimming championship, under the supervision of the Administrative Vice Chair or, failing that, at a time and place and in a manner designated by the Board of Directors. Voting may be in person or by absentee ballot, and the election shall be determined by a majority of the ballots cast by Coach Members in good standing.

 .4 **Non-Athlete At-Large House Members**- Up to ten (10) non-Athlete Members may be appointed as non-athlete At-Large House Members by the General Chair, with the advice and consent of the Board of Directors.

 .5 **Athlete At-Large House Members** - A sufficient number of Athlete Members shall be appointed by the General Chair (with the advice and consent of the elected Athlete Representatives) as athlete At-Large House Members to constitute, together with the Athlete Representatives, at least 20% of the voting membership of the House of Delegates. All At-Large House Members (athlete and non-athlete) shall hold office from the date of appointment through the conclusion of the annual meeting of the House of Delegates following such appointment or until their successors are appointed to the House of Delegates.

**604.2 ELIGIBILITY** ‑ Only Individual Members in good standing shall be eligible to be elected or appointed members of, to be heard at or to vote at the House of Delegates in any capacity. Members of the House of Delegates must maintain their status as Individual Members in good standing throughout their terms of office.

**604.3**  **VOICE AND VOTING RIGHTS OF MEMBERS** - The voice and voting rights of members of the House of Delegates and of Individual Members shall be as follows:

 .1 **Group Member Representatives, Board Members, Athlete Representatives, Coach Representatives and At-Large House Members**- Each of the Group Member Representatives, the Board Members, the Athlete Representatives, the Coach Representatives and the At-Large House Members shall have both voice and one vote each in meetings of the House of Delegates.

 .2 **Affiliated Group Member Representatives** - Group Member representatives of Affiliated Group Members, unless entitled to vote under another provision of these Bylaws, shall have voice but no vote in meetings of the House of Delegates and its committees.

 .3 **Individual Members** - Individual Members who are not members of the House of Delegates may attend open meetings of the House of Delegates and its committees and be heard in the discretion of the presiding officer. Unless entitled to vote under another provision of these Bylaws, Individual Members who are not members of the House of Delegates shall have no vote in meetings of the House of Delegates.

**604.4 DUTIES AND POWERS** ‑ The House of Delegates shall oversee the management of the affairs of SN SWIMMING and the establishment of policies, procedures and programs. In addition to the duties and powers prescribed in the USA Swimming Rules and Regulations or elsewhere in these Bylaws, the House of Delegates shall:

* + 1. Elect the officers, members of the Board of Review and the committee chairs listed in Section 606.1 in accordance with Sections 606.2 through 606.5;

.2 Elect alternates to the USA Swimming House of Delegates in accordance with section 507.1.3 of the USA Swimming Rules and Regulations;

.3 Elect members to the Nominating Committee

.4 Review, modify and adopt the annual budget of SN SWIMMING recommended by the Board of Directors;

 .5 Ratify or prospectively modify or rescind policy and program established by the Board of Directors, except any action or authorization by the Board of Directors with respect to contracts or upon which any person may have relied shall not be modified or rescinded;

 .6 Establish joint administrative committees, or undertake joint activities with sports organizations, where deemed helpful or necessary by SN SWIMMING.

 .7 Establish by the SN SWIMMING Policies and Procedures Manual, one or more committees of its members. The committees shall have the powers and duties specified in the SN SWIMMING Policies and Procedures Manual, which may include delegation of one or more powers and duties of the House of Delegates, other than the powers to amend these Bylaws or remove Board Members and other elected officers.

 .8 Amend the Bylaws of SN SWIMMING in accordance with Section 611.3;

 .9 Remove from office any Board Members, members of the Board of Review, or committee chairs, members, or coordinators who have failed to attend to their official duties or member responsibilities or have done so improperly, or who would be subject to penalty by the Board of Review for any of the reasons set forth in Article 404.1.3 of the USA Swimming Rules and Regulations. However, no Board Member, Board of Review member or elected committee chair or coordinator may be removed except upon not less than thirty (30) days’ written notice by the Secretary or other officer designated by the House of Delegates specifying the alleged deficiency in the performance of member responsibilities or specific official duties or other reason. All notices and proceedings under this section shall be prepared, served and processed utilizing the procedures for a formal hearing pursuant to Article 406 of the USA Swimming Rules and Regulations to the extent applicable. Should the Board Member, Board of Review member or elected committee chair or coordinator contest the alleged deficiency or other reason alleged in the notice, the House of Delegates shall hold a hearing at which the defendant shall have the same rights as if the hearing were to be conducted by the Board of Review pursuant to Part Four of the USA Swimming Rules and Regulations.

**604.5 ANNUAL AND REGULAR MEETINGS** - The annual meeting of the House of Delegates of SN SWIMMING shall be held in the months of June or July of each year.

**604.6**  **SPECIAL MEETINGS** - Special meetings of the House of Delegates may be called by the Board of Directors or the General Chair. Should the Board of Directors or the General Chair fail to call the annual or scheduled regular meetings or should a special meeting be appropriate or helpful, a meeting of the House of Delegates may be called by a petition signed by members of the House of Delegates. Such meetings shall be called within three (3) weeks of receipt of the petition with proper notice of the meeting being given.

**604.7 MEETING LOCATION AND TIME** - All meetings of the House of Delegates shall take place at a site within the Territory. The House of Delegates or the Board of Directors shall determine the location and time of all meetings of the House of Delegates.

**604.8**  **NOMINATING COMMITTEE**

.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 Chair 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 Board of Directors, shall appoint a successor to serve until the next meeting of the House of Delegates. In no case shall the General Chair serve on the Nominating Committee.

 .2 **Chair Elected by Nominating Committee** - The Chair of the Nominating Committee shall be elected biennially by a majority vote of the members of the Nominating Committee present at a meeting called promptly after the members are elected or appointed.

 .3 **Duties of Nominating Committee** - A slate of candidates for election as the officersor committee chairs specified in Section 606.1 and the 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.

 .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 604.14.1 where convenient. See Section 616.1.5 for the methods which may be used for the distribution.

 .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.

 .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 607.10 and Section 616.1.5 also shall apply to the Nominating Committee's meetings and notices.

.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.

**604.9 MEETINGS OPEN; EXECUTIVE SESSIONS -**

 .1 **House of Delegates** - House of Delegates meetings shall be open to all members of SN SWIMMING and USA Swimming. Issues pertaining to personnel, discipli­nary action, legal, tax or similar affairs of SN SWIMMING shall be deliberated and decided in a closed exe­cutive session which only House of Delegates members may attend. By a majority vote on a motion of a question of privilege, the House of Delegates may decide to go into executive session on any matter deserving of confidential treatment or of personal concern to any member of the House.

.2 **House of Delegates Committees** - All meetings and deliberations of the Nominating Committee shall be conducted in executive (closed) session. Meetings of all other committees established by the House of Delegates shall be open to all members of SN SWIMMING and USA Swimming unless otherwise provided by the House of Delegates resolution creating the committee or by a vote of the committee as provided by the rules of the Parliamentary Authority.

**604.10 QUORUM** - A quorum of the House of Delegates shall consist of those members present and voting.

**604.11 VOTING** - Except as otherwise provided in these Bylaws or the Parliamentary Authority, all motions, orders and other propositions coming before the House of Delegates shall be determined by a majority vote. A motion or order calling for the removal of a member of the Board of Review pursuant to Section 604.4.10 shall be determined by a two-thirds vote after at least thirty (30) days’ notice. See also Section 611.3 regarding amendment of these Bylaws.

**604.12 PROXY VOTE** - Voting by proxy in any meeting of the House of Delegates shall not be permitted.

**604.13 MAIL VOTE** – Any action which may be taken at any regular or special meeting of the House of Delegates, except elections, 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 provided 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.

**604.14 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

 Presentation and approval of the annual budget

 Presentation and approval of the annual audit pursuant to Section 608.5, when applicable

 Unfinished (old) business

 Elections

 New business

 Reports of officers

 Reports of committees and coordinators

 Resolutions and orders

 Adjournment

**604.15 NOTICES**

 .1 **Time** ‑ Not less than twenty (20) days’ written notice shall be given to each member of the House of Delegates and each Group Member for any annual, regular or special meeting of the House of Delegates, and not less than thirty (30) days’ written notice shall be given to each member of the House of Delegates of any proposed amendment of the Bylaws or Policies. Not less than forty (40) days’ written notice shall be given to the General Chair and Secretary of proposed Bylaws and Policy amendments that do not originate from the Board of Directors. The General Chair shall submit any proposals received to the Board of Directors for review, and the Secretary shall give thirty (30) days’ written notice to each member of the House of Delegates. See Section 616.1.5 for the various permitted forms of notice.

 .2 **Information** ‑ The notice of a meeting shall contain the time, date and site. For special meetings of the House of Delegates, the expected purpose (which may be general) of the meeting shall be stated. If an expected purpose is the amendment of the Bylaws, a copy of the proposed amendment shall be included in the notice. Failure to have included in the notice any germane amendments subsequently adopted by the House of Delegates at the noticed meeting shall not be the basis for any claim that the amendments as so adopted are invalid.