

## **BYLAWS OF THE MICHIGAN LOCAL MASTERS SWIMMING COMMITTEE**

These revised bylaws were adopted on March 24, 2012. *Last revised 3/20/2013*

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### **Article 1: General**

- 1.1 **Authority.** The Michigan Local Masters Swimming Committee (hereinafter called MI-LMSC) has jurisdiction over the sport of masters swimming within the State of Michigan as delegated by United States Masters Swimming, Inc. (hereinafter called USMS).
- 1.2 **Scope of Activity.** The MI-LMSC shall govern, administrate, and promote masters swimming in the State of Michigan, as defined by USMS, and assist its members in the conduct and organization of activities that further masters swimming.
- 1.3 **Non-Profit Status.** MI-LMSC is a non-profit organization.

### **Article 2: Mission and Objectives**

- 2.1 **Mission.** The mission of the Michigan LMSC is to help its members to achieve desired levels of health, fitness, performance, and quality of life through participation in masters swimming.
- 2.2 **Objectives**
  - 2.2.1 **Clubs.** MI-LMSC shall support the development of masters swimming clubs and workout groups, and shall operate a state-wide club called *Michigan Masters* for the benefit of members who desire participation.
  - 2.2.2 **Competition.** MI-LMSC shall assist its member clubs and workout groups to conduct short course yards, short course meters, long course meters, and open water swimming competitions, including a short course yards state championship meet.
  - 2.2.3 **Recognition.** MI-LMSC shall recognize the achievements of its members in a variety of ways, including awards and information posted on the LMSC web site.
  - 2.2.4 **Communication.** MI-LMSC shall regularly communicate information about USMS and LMSC activities to its members in a variety of ways, such as meetings, the LMSC web site, the LMSC newsletter, electronic mail, and when necessary U.S. mail.

### Article 3: Clubs and Workout Groups

- 3.1 **Club.** A masters swimming club is an organization or group of permanent character that is a club member of USMS, registered through MI-LMSC and that actively promotes and/or participates in masters swimming.
- 3.2 **Workout Group.** A workout group is a subset of members from a masters swimming club. Workout groups may be formed for various reasons such as to organize and acquire pool space, secure a coach, etc. Workout groups are recognized only within the MI-LMSC.
- 3.2.1 **Notification.** New workout groups shall notify the MI-LMSC registrar with contact information.
- 3.2.2 **Membership.** Swimmers shall declare membership in a workout group when completing their annual registrations with USMS through the MI-LMSC. Club members not wishing to affiliate with a workout group shall designate their workout group as *unattached*. USMS and LMSC rules governing procedures for a member changing club registration shall apply to members changing workout group registrations.
- 3.2.3 **Privileges.** Members of workout groups may compete under the auspices of the workout group when participating in the MI-LMSC State Championships, but must compete under the auspices of the masters swimming club when competing outside of the MI-LMSC.
- 3.3 **Unattached.** The term *unattached* refers to an individual member of the MI-LMSC who does not represent a USMS club.

### Article 4: General Membership

- 4.1 **General Membership.** The general membership shall consist of all individuals who are interested in the purposes or programs of the USMS and are registered as individuals with USMS through the MI-LMSC.
- 4.1.1 **Proof of membership.** Each member who registers online will receive an electronic copy of her/his USMS card, and each member who registers using a paper application will receive a paper copy of her/his USMS card. The USMS card certifies his or her membership and club/workout group affiliation.
- 4.1.2 **Privileges.** Each member may attend all MI-LMSC general membership meetings and may participate in all programs offered by USMS and MI-LMSC.
- 4.1.3 **Responsibilities.** The duties and powers of the general membership are to: (a) receive reports from the Board of Directors; (b) elect officers and members of the Review Committee; (c) amend the MI-LMSC bylaws; (d) ratify or rescind

policy and programs established by the Board of Directors; (e) determine the location of MI-LMSC state championships; and (f) consider any other business relating to MI-LMSC.

4.1.4 **Fees.** MI-LMSC is entitled to receive an annual fee from each member.

## **Article 5: Board of Directors**

5.1 **Board of Directors.** The Board of Directors is comprised of the elected officers and appointed members.

### **5.2 Elected Officers**

5.2.1 **Chair.** The chairperson shall be responsible for the day to day management of MI-LMSC. The chair shall call meetings when necessary and preside at them. The chair shall, with approval of the elected members of the Board of Directors, appoint members of the Board of Directors and committees as appropriate.

5.2.2 **Vice-Chair.** The Vice-Chair shall serve as a replacement for the Chair when necessary, assist the Chair as required, monitor the need for bylaw and policy revisions, and chair an ad hoc Nominating Committee. The Vice-Chair is considered to be the chair-elect and automatically succeeds the Chair at the end of the Chair's term.

5.2.3 **Treasurer.** The Treasurer shall receive all monies, and pay all bills approved by the MI-LMSC, maintain all financial records, prepare an annual budget, and make timely reports to USMS, the Board of Directors, and the MI-LMSC general membership.

5.2.4 **Secretary.** The Secretary shall record minutes of meetings and make timely reports to USMS, the Board of Directors, and the MI-LMSC general membership.

5.2.5 **Registrar.** The Registrar shall be responsible for the registration of individual members, clubs, and workout groups, and shall maintain a current list of all members.

5.2.6 **Sanctions Officer.** The Sanctions Officer shall: (a) solicit applications from clubs or workout groups to host MI-LMSC competitions; (b) assist meet managers to acquire sanctions/recognitions and to observe MI-LMSC and USMS rules when planning and conducting meets; (c) provide MI-LMSC supplies such as awards and time cards to meet managers; (d) schedule competitions; and (e) evaluate competitions.

### 5.3 **Appointed Members**

- 5.3.1 **Communications Director.** The Communications Director shall be responsible for editing, publishing, and disseminating MI-LMSC information via the LMSC web site.
- 5.3.2 **Records/Top-10 Recorder.** The Records/Top Ten Recorder shall review results from competitions sanctioned or recognized by the MI-LMSC to identify potential MI-LMSC, USMS, and World records and Top Ten Times.
- 5.3.3 **Coach Representative.** The Coach Representative shall: (a) relay suggestions and concerns from coaches to the Board of Directors; (b) receive communications from the USMS Coaches Committee and distribute that information to coaches within the LMSC; (c) facilitate communication among coaches within the LMSC; and (d) schedule and facilitate coaching clinics.
- 5.3.4 **Officials Coordinator.** The Officials Coordinator shall: (a) help clubs and workout groups to identify officials; (b) educate officials and members about USMS Swimming Rules; (c) relay suggestions and concerns from officials to the Board of Directors; and (d) assist the Sanctions Officer with the scheduling and evaluation of competitions sanctioned or recognized by the MI-LMSC.
- 5.3.5 **Fitness Coordinator.** The Fitness Coordinator shall (a) facilitate the education of members about ways in which their health, physical fitness, and well-being may be improved through masters swimming; (b) facilitate participation in postal swimming events that contribute to physical fitness; and (c) offer suggestions about MI-LMSC programs and activities that contribute to these aims.
- 5.3.6 **Safety Director.** The Safety Director shall: (a) educate meet managers, officials, and members about safety rules and policies; (b) monitor safety conditions at competitions; (c) maintain copies of the Reports of Occurrence filed with the USMS insurance carrier; and (d) relay suggestions and concerns about safety to the Board of Directors.
- 5.3.7 **Open Water Coordinator.** The Open Water Coordinator will communicate and encourage participation in various USMS open water events to MI-LMSC members, and shall assist open water event directors with the planning and conduct of those events.
- 5.4 **Powers.** The Board of Directors shall have the power to conduct business on behalf of the MI-LMSC between general membership meetings, including the power to (a) establish, maintain, and eliminate MI-LMSC policies and (b) approve MI-LMSC financial reports, budgets, and audits.

## 5.5 Requirements

- 5.5.1 **USMS Membership.** Each member of the Board of Directors must be an individual member of USMS registered through the MI-LMSC throughout her/his term of office.
- 5.5.2 **Disclosures.** Each member of the Board of Directors must disclose known conflicts of interest that may affect her/his decision-making and actions on behalf of the MI-LMSC. (For example, a board member who has a significant financial interest in a company that manufactures awards must disclose that fact if MI-LMSC considers purchasing awards from that company.)

- 5.6 **Indemnification.** Members of the Board of Directors shall be indemnified by the MI-LMSC with respect to fulfilling their duties on behalf of the MI-LMSC.

## Article 6: Meetings

### 6.1 Schedule

6.1.1 **General Membership.** The annual meeting of members of MI-LMSC will be held concurrently with the MI-LMSC State Championships, usually held in March or April. Special meetings may be called at the discretion of the MI-LMSC Chair or by a petition of at least 20% of the members of the MI-LMSC.

6.1.2 **Board of Directors.** A Board of Directors meeting shall be scheduled at least twice each year at dates selected by the Chair. The Chair shall also determine the mode (e.g., meeting in person, via conference call, or via an electronic communication system).

- 6.2 **Notice and Agenda.** A notice and tentative agenda for general membership meetings, including the full text of any proposed bylaw changes and description of any elections to be held, shall be distributed to members via the MI-LMSC web site at least 14 days prior to the meeting. A notice and tentative agenda for Board of Directors meetings shall be distributed via telephone or electronic communication system at least 7 days prior for Board of Directors meetings.

### 6.3 Quorum.

6.3.1 **General membership meetings.** The quorum for a general membership meeting shall be at least 5% of the MI-LMSC members, including members of the Board of Directors.

6.3.2 **Board of Directors meetings.** The quorum for a Board of Directors meeting shall be a majority of the members, including at least 3 of the elected officers.

### 6.4 Voting Privilege

6.4.1 **General Membership Meetings.** All individual members of the MI-LMSC who are present have both voice and vote, except that the Chair may only vote in the

case of a tied vote. Proxy votes are not allowed. Motions shall be passed by simple majority vote. The Chair shall determine the method of voting (e.g., voice, roll call, written ballot).

6.4.2 **Board of Directors Meetings.** Unless otherwise restricted by the MI-LMSC bylaws or policies, all members of the Board of Directors who are present have both voice and vote, except that the Chair may only vote in the case of a tie. Proxy votes are not allowed. Motions shall be passed by simple majority vote. The Chair shall determine the method of voting (e.g., voice, roll call, written ballot).

## 6.5 **Conduct of Meetings**

6.5.1 **Presiding Officer.** The MI-LMSC Chair or designee shall preside at all meetings.

6.5.2 **Rules of Order.** Current Roberts Rules of Order will serve as guidelines for the conduct of meetings.

6.5.3 **Mode.** General membership meetings must be held in person. Board of Directors meetings may be held in person, via conference call, or via an electronic communication system.

## **Article 7: Review Committee**

7.1 **Function.** The MI-LMSC Review Committee shall consider complaints related to protection of athlete rights and alleged unsporting conduct, and shall render judgments and penalties as appropriate. Article 401 of the USMS rule book provides further information about these topics.

### 7.2 **MI-LMSC Review Committee and Hearing Panels**

7.2.1 **Review Committee.** The Review Committee shall be comprised of five members who are elected by the general membership following the election procedures set forth in Article 9 of these bylaws. The Review Committee shall elect its own chairperson.

7.2.2 **Hearing Panel.** The hearing panel convened for a case shall have a minimum of three members and a maximum of five members from the Review Committee, as selected by the Review Committee Chairperson. The hearing panel shall select its own panel chairperson and secretary. Committee members should recuse themselves if they have a significant conflict of interest related to the case.

### 7.3 **Hearings and Appeals**

7.3.1 **Authority.** MI-LMSC has authority to deny membership, censure, place on probation, suspend, fine, or expel any member or any person participating in the affairs of MI-LMSC who has acted in ways prohibited by Article 401 of the USMS rule book.

#### 7.3.2 **Hearings**

7.3.2.1 **Filing a complaint.** Any member of the MI-LMSC may file a complaint by notifying the Review Committee Chair in writing.

7.3.2.2 **Determination of merit.** The Review Committee Chair shall consult with at least two additional Review Committee members to determine if the complaint has merit under USMS rules. If a majority of those polled agree the complaint has merit, a hearing panel shall be appointed and the hearing shall be scheduled promptly. If no, the matter shall be dismissed and the complainant shall be notified in writing.

7.3.2.3 **Hearings.** The Hearing Panel shall use the hearing panel procedures from Article 403.8 in the USMS rule book as guidelines, following those procedures as much as practical and in good faith. Hearings shall be conducted in person on dates and at times/locations mutually acceptable to participants.

7.3.3 **Appeals.** Decisions rendered by the MI-LMSC Review Committee may be appealed to the USMS Board of Review. Appeal procedures are described in Article 403 of the USMS rules.

7.3.4 **Notices.** All notices and decisions regarding hearings and appeals shall be in writing, mailed to the residence given on the member's USMS membership application or to a written change of address if submitted.

## **Article 8: Elections and Appointments**

### 8.1 **Elections of Officers and Members of the Review Committee**

8.1.1 **Nominating Committee.** The Vice-Chair shall head an Ad Hoc Nominating Committee of members who are appointed by the Chair with approval from the Board of Directors.

#### 8.1.2 **Nominations**

8.1.2.1 **Methods.** Nominations for officer and Review Committee positions shall be solicited by the Vice-Chair using various methods including

electronic mail, and the MI-LMSC web site. Nominations may also be made from the floor at the annual general membership meeting.

8.1.2.2 **Candidate qualifications.** Any individual registered with USMS through the MI-LMSC may be considered for an officer position, and any individual registered with USMS through the MI-LMSC for at least five years may be considered for Review Committee membership. To facilitate elections, candidates are encouraged to submit a brief resume and statement of intent to run at least 14 days prior to the annual general membership meeting.

8.1.3 **Elections.** Elections for elected members of the Board of Directors and for Review Committee members shall be conducted at the annual general membership meeting in odd-numbered years, with the exception that the Vice-Chair shall automatically succeed the Chair. The Vice-Chair shall preside over elections and shall determine the method of voting (e.g., voice, roll call, written ballot).

8.1.4 **Term.** The term of office is two years beginning on June 1 of the year of election. A person may serve four consecutive or non-consecutive terms in the same office.

8.1.5 **Vacancies.** The Chair shall fill vacancies in any officer or Review Committee position, with approval of the elected members of the Board of Directors. Such appointees shall serve until the next regularly scheduled annual general membership meeting. Any person selected to fill a vacancy shall serve the remainder of the existing term.

## 8.2 **Appointments**

8.2.1 **Appointed Members of the Board of Directors.** Appointed members of the Board of Directors shall serve at the pleasure of the Chair.

8.2.2 **Term.** An appointed member of the Board of Directors serves at the pleasure of the MI-LMSC Chair.

8.2.3 **Ad Hoc Positions or Committees.** The Chair may establish ad hoc positions or committees as necessary to carry out the duties of the MI-LMSC. The Chair shall charge each person or committee with its duties, and shall determine a time frame for their service.

8.2.4 **Volunteers.** Any member of the Board of Directors may seek volunteers from the membership of the MI-LMSC to assist in fulfilling her/his responsibilities.

8.3 **Multiple Positions.** The same person may not simultaneously hold more than one elected officer position; however, the same person may fill both an officer and an appointed position or multiple appointed positions.



## **Article 9: Management**

### **9.1 Financial Management**

- 9.1.1 **Fiscal Year.** The fiscal year shall be the calendar year.
- 9.1.2 **Budget.** The Treasurer shall prepare a budget showing anticipated income and expenses, and the Board of Directors shall approve such budget, within 60 days of the start of the fiscal year.
- 9.1.3 **Audits.** An audit of financial records shall be conducted in odd-numbered years, prior to the date of the annual membership meeting, using personnel and methods approved by the Board of Directors.

### **9.2 Conditions of Competition**

- 9.2.1 **Rules.** The conditions of competition in any swimming event and the rules governing it shall be those established by the USMS, or MI-LMSC, where its rules and regulations do not contradict the rules of USMS.
- 9.2.2 **MI-LMSC State Championships**
  - 9.2.2.1 **Conduct of Competition.** MI-LMSC State Championships will be held in accordance with the rules of the USMS for conduct of championships to the maximum extent possible and practical.
  - 9.2.2.2 **Rotation Award System.** The MI-LMSC State Swimming Championships shall be held at various locations in different geographical areas of the state in a rotation that accommodates the majority of members fairly, using the facilities that are best able to hold such a meet.
  - 9.2.2.3 **Bid Procedures.** A club or workout group wishing to host the state championships shall use a bid form provided by the Sanctions Officer. The completed bid form must be returned to both the Chair and the Sanctions Officer at least 14 days prior to the date of the annual general membership meeting. A vote of the MI-LMSC members in attendance at the annual general membership meeting shall determine the bid winner/site of the next state championship meet.

- 9.3 **MI-LMSC Representation to USMS Meetings.** Article 504 of the USMS rule book specifies that each LMSC is entitled to one delegate to the annual USMS convention, a second delegate if the LMSC has over 300 members, and one additional delegate for every additional 500 members in the LMSC.

- 9.3.1 **Priority.** In priority order, the official delegates from the MI-LMSC shall be: (a) the Chair; (b) the Vice-Chair; (c) an elected member of the Board of Directors; and (d) an appointed member of the Board of Directors. The selection of any MI-LMSC representative to USMS meetings other than the Chair or Vice-Chair must be approved by the elected members of the Board of Directors. This procedure shall be followed until the allotted number of MI-LMSC delegates has been selected.
- 9.3.2 **Substitutes.** If a delegate is unable to attend the convention, the Chair shall appoint a member of the Board of Directors as a substitute.

## **Article 10: Changes to MI-LMSC Bylaws and Policies**

- 10.1 **Bylaw Amendments.** The general membership has the power to enact additions, changes, or deletions to the MI-LMSC bylaws. Bylaw amendments shall be considered only at the annual general membership meeting or at special general membership meetings called for that purpose. Such meetings must conform to Article 7 of these bylaws. Bylaw amendments shall be effective immediately upon adoption unless otherwise specified.
- 10.2 **Policy Amendments.** The general membership and the Board of Directors both have the power to enact additions, changes, or deletions to MI-LMSC policies; however, the Board of Directors may not override a decision by the general membership. Policy amendments shall be considered only at duly called meetings of the appropriate governance group. Such meetings must conform to Article 6 of these bylaws. Policy amendments shall be effective immediately upon adoption unless otherwise specified.
- Note:* The MI-LMSC Policies are located in a separate document.
- 10.3 **Submitting Amendments.** Any member of MI-LMSC may submit a proposed change to the bylaws or policies. Proposals should clearly show text that is proposed to be added, changed, or deleted. Proposed amendments shall be submitted to the Chair at least 21 days prior to the scheduled general membership meeting, and shall be made available to members at least 14 days prior to the scheduled general membership meeting.

## **Article 11: Dissolution**

- 11.1 **Dissolution.** Upon dissolution, the net assets of MI-LMSC will not benefit any private individual or corporation, but will be distributed to USMS for educational or charitable purposes, or if USMS is not in existence, or is no longer a 501(C) (3) corporation, such assets will be distributed to a similar non-profit organization, and those funds will be used exclusively for educational or charitable purposes.