SUMMARY OF CHANGES TO REQUIRED LSC BYLAWS

2019-2026

The following changes were made by the USA Swimming House of Delegates, effective September 26, 2026, to require the same LSC Board qualifications as the USA Swimming Board qualifications.:

6.3 ELIGIBILITY - Only Individual Members of USA Swimming in good standing with XXSI and USA Swimming shall be eligible to hold office and must maintain their eligibility throughout their term of office. Any individual who has served a period of ineligibility for a SafeSport Code violation as defined by the U.S. Center for SafeSport or USA Swimming's Safe Sport program (unless that period of ineligibility was later entirely overturned) will be deemed ineligible to serve.

The following changes were made by the USA Swimming House of Delegates, effective September 27, 2025, to change to bring the LSC Bylaws into alignment and conformity with USA Swimming desired practices, and to remove references to specific policy numbers in the Operating Policy Manual:

2.1 MEMBERS - The membership of XXSI shall consist of the clubs, organizations and individuals who have registered with XXSI as set forth in the USA Swimming Corporate Bylaws, *including the optional categories of seasonal athlete membership, seasonal club membership, flex membership, and single event open water athlete membership.*

.1 *[no changes]*

.2 MEMBERSHIP A PRIVILEGE NOT A RIGHT - Membership in XXSI and USA Swimming is a privilege and shall not be interpreted as a right. Membership may be terminated by the National Board of Review or the U.S. Center for SafeSport in accordance with the National Board of Review procedures, pursuant to ~~Policy 26.0 of~~ the USA Swimming Operating Policy Manual.

4.5.9 Remove from office any persons elected by the House of Delegates (Board Members, *members of the Administrative Review Board,* or committee chairs 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 National Board of Review for any of the reasons set forth in ~~Article 404 of USA Swimming Rules and Regulations~~ the National Board of Review procedures, pursuant to the USA Swimming Operating Policy Manual. However, no such individual may be removed without receiving 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 the member's responsibilities or specific official duties or other reason and an opportunity to respond in writing within twenty (20) days to such allegations.

5.6 DUTIES AND POWERS - The Board of Directors shall act for XXSI and the House of Delegates during the intervals between meetings of the House of Delegates, except that it shall not remove a Board Member, *an Administrative Review Board member,* or other person not appointed by the Board of Directors or amend these Bylaws. Any actions taken are subject to the exercise by the House of Delegates of its powers of ratification or prospective modification or rescission. In addition to the powers and duties prescribed in the USA Swimming Rules and Regulations or elsewhere in these Bylaws, the Board of Directors shall have the power and it shall be its duty to:

.1-.9 *[no changes]*

.10 Remove from office any Board Members, committee chairs, or committee members or coordinators of XXSI who were appointed/elected by the Board and 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 National Board of Review for any of the reasons set forth in the National Board of Review procedures, pursuant to ~~Policy 26.0 of~~ the USA Swimming Operating Policy Manual. However, no At-Large Board Member, or committee chair or coordinator may be removed without receiving the thirty (30) days' written notice specifying the alleged deficiency in the performance of the member's responsibilities or specific official duties or other reasons and an opportunity to respond in writing within twenty (20) days to such allegations.

Two provisions are offered with respect to Governance or Nominating Committees. Select one and delete the other.

Provision A (combined Governance & Nominating Committee)

7.4.3 GOVERNANCE COMMITTEE -

A. CHAIR - The chair shall be elected annually by the Governance Committee from among its own members.

Two options are offered concerning the method of selection of the Governance Committee members.

Select one and delete the other.

B. *Option 1* MEMBERS -
The Governance Committee members shall be appointed by the General Chair with advice and consent of the Board of Directors. The Committee shall be comprised of [list the number in factors of 3 or 4, in alignment with the term of office] with a sufficient number of Athlete Representatives so as to constitute at least twenty percent (20%) of the voting membership of the Committee. Each member shall serve a *three or four-year* [select one] term, staggered so that *one-third (1/3) or one-fourth (1/4)* [select one to coincide with factor selected above] of such members are appointed each year. No more than one-half (1/2) of the Governance Committee members shall be members of the XXSI Board of Directors at any given time. After completion of two consecutive terms, members are not eligible for re-appointment to the Governance Committee until after a lapse of two years. A portion of any term served to fill a vacancy in the position shall not be considered in the computation of the successive term limitation. In no case shall the General Chair or paid staff serve on the Governance Committee.
Option 2 MEMBERS -
The Governance Committee shall be elected by the House of Delegates and shall be comprised of at least [insert a number] members, with a sufficient number of Athlete Representatives so as to constitute at least twenty percent (20%) of the voting membership of the Committee. No more than one half of the Committee shall be members of the XXSI Board of Directors. If any member of the Governance 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 or paid staff serve on the Governance Committee. Members shall serve two-year terms, staggered so that approximately one-half of the members are elected each year. After completion of three consecutive terms, members are not eligible to be elected or appointed to the Governance Committee until after a lapse of two years. A portion of any term served to fill a vacancy in the position shall not be considered in the computation of the successive term limitation.

C. QUORUM - When making nominations, a quorum for any meeting of the Governance Committee shall consist of a majority of its voting members. For all other meetings, a quorum shall consist of those members present and voting.

D. DUTIES

(1) ~~To assist in periodic evaluation of the mission and vision statements and the Bylaws of XXSI~~ To lead in the annual evaluation of the mission and vision statement of XXSI;

(2) To lead in the annual evaluation of the Bylaws of XXSI;

(3) To lead in the biennial review of all XXSI governance documents;

(~~2~~4) To aid in the development of operating policies and procedures ~~regarding conflict of interest (Board and staff), document retention, ethics, whistle blower, procurement, contract review, grievance and other employment related practices, etc.~~;

~~(3) To aid in the development of personnel practices procedure including job descriptions and annual review of staff;~~

(45) To ensure that the Board's focus remains on the strategic plan;

~~(5) To aid in the development of expectations and processes for accountability of Board members;~~

(6) To lead in the development and review of the job descriptions ~~criteria for the qualities and required characteristics~~ of Board officers;

(7) To lead Board succession planning by assessing current and anticipated needs ~~for~~ of the Board;

(8) To lead in the ~~composition and identifying and recruiting~~ identification and recruitment of potential Board members;

(~~8~~9) To nominate Board members, *Administrative Review Board members, Governance Committee members (when elected), and other coordinator or chair positions to be elected by the House of Delegates* consistent with the matrix of skills, demographics, and talents needed;

(~~9~~10) To publish the slate of candidates to the XXSI membership at least *twenty (20)* days prior to the election. Additional nominations may be made from the floor of the House of Delegates by voting members of the House of Delegates;

(~~10~~11) To design and implement Board and Chair orientation and ~~an ongoing program of Board education and development~~ onboarding; and,

(12) To design and implement an ongoing program of Board and Chair education and development.

~~(11) To lead periodic assessment of the Board's performance (as a whole and of individual members) and make recommendations to enhance Board effectiveness.~~

7.4.3 NOMINATING COMMITTEE -

A. CHAIR - The Chair shall be elected annually by the Nominating Committee from among its own members.

B. MEMBERS - The House of Delegates shall annually elect at least [insert a number] individuals to the Nominating Committee to serve a one-year term, with a sufficient number of Athlete Representatives so as to constitute at least twenty percent (20%) of the voting membership of the Committee. Terms shall commence at the conclusion of the meeting at which members were elected and end when their successors assume office. 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. No individual shall be eligible to serve more than six (6) consecutive years on the Nominating Committee until after a lapse of two years. A portion of any term served to fill a vacancy in the position shall not be considered in the computation of the successive term limitation. In no case shall the General Chair or paid staff serve on the Nominating Committee.

C. QUORUM - A quorum for any meeting of the Nominating Committee shall consist of a majority of its voting members.

D. DUTIES -

(1) To work with the Board on succession planning assessing current and anticipated needs for Board composition;

(~~1~~2) To nominate Board members, *Administrative Review Board members, Governance Committee (when elected), and other coordinator or chair positions* to be elected by the House of Delegates consistent with the matrix of skills, demographics, and talents needed; and,

(~~2~~3) To publish the slate of candidates to the XXSI membership at least *twenty (20)* days prior to the election. Additional nominations may be made from the floor of the House of Delegates by voting members of the House of Delegates.

7.4.4 GOVERNANCE COMMITTEE -

A. CHAIR - The Chair shall be elected annually by the Governance Committee from among its own members.

B. MEMBERS - The Governance Committee members shall be appointed by the General Chair with advice and consent of the Board of Directors. The Committee shall be comprised of at least [insert a number] members with a sufficient number of Athlete Representatives so as to constitute at least twenty percent (20%) of the voting membership of the Committee. Each member shall serve a *three or four-year* [select one] term. Terms shall be staggered such that approximately *one-third (1/3) or one-fourth (1/4)* [select one to coincide with term selected above] of members are appointed each year.

C. DUTIES - It shall be the duty of the Governance Committee to:

(1) ~~Assist in periodic evaluation of the mission and vision statements and the Bylaws of XXSI;~~To lead in the annual evaluation of the mission and vision statement of XXSI;

(2) To lead in the annual evaluation of the Bylaws of XXSI;

(3) To lead in the biennial review of all XXSI governance documents;

(~~2~~4) To aid in the development of operating policies and procedures~~ regarding conflict of interest (Board and staff), document retention, ethics, whistle-blower, procurement, contract review, grievance and other employment related practices, etc.~~;

~~(3) Aid in the development of personnel practices procedure including job descriptions and annual review of staff;~~

(~~4~~5) ~~Assist in shaping the Board's agenda based on the strategic plan~~To ensure that the Board's focus remains on the strategic plan;

~~(5) Aid in the development of expectations and processes for accountability of Board members;~~

(6) ~~Develop criteria for the qualities and required characteristics of Board officers~~To lead in the development and review of the job descriptions of Board officers;

(7) To lead Board succession planning by working with the Nominating Committee to assess current and anticipated needs for Board composition;

(8) To design and implement Board and Committee orientation and onboarding; and ~~an ongoing program of Board education and development; and~~

(9) To design and implement an ongoing program of Board and Committee education and development.

~~(9) Lead periodic assessment of the Board's performance (as a whole and of individual members) and make recommendations to enhance Board effectiveness.~~

13.1 INTRODUCTION - USA Swimming was organized as the National Governing Body for the sport of swimming under the Amateur Sports Act of 1978, as amended by the Ted Stevens Olympic and Amateur Sports Act of 1998, both federal laws. These laws require USA Swimming to establish and maintain provisions for the swift and

equitable resolution of all disputes involving any of its members. This Article, together with Section 2.2 and the National Board of Review procedures, pursuant to ~~Policy 26.0 of~~ the USA Swimming Operating Policy Manual, are intended to provide a mechanism for resolving in an orderly and fair way all manner and kinds of disputes that may arise among its members in connection with the sport of swimming. Accordingly, XXSI has established the Administrative Review Board to hear complaints and appeals regarding administrative matters within XXSI which do not rise to the level of Code of Conduct violations and are not appeals of sanction decisions. The Administrative Review Board shall have no jurisdiction to hear complaints regarding conduct that may violate the USA Swimming Code of Conduct or otherwise violate the policies, procedures, rules and regulations adopted by USA Swimming, or conduct that may bring USA Swimming, XXSI or the sport of swimming into disrepute. This Article, together with the National Board of Review procedures, pursuant to ~~Policy 26.0 of~~ the USA Swimming Operating Policy Manual, is intended to provide a fair hearing before a group of independent and impartial people. This Article and the National Board of Review procedures, pursuant to ~~Policy 26.0 of~~ the USA Swimming Operating Policy Manual shall be construed accordingly.

13.3 GENERAL -

.1-.3 *[no changes]*

.4 Timeliness of Petition - The Administrative Review Board need not exercise its jurisdiction with respect to a complaint the subject matter of which occurred, or concerns or is founded on events which occurred, more than ninety (90) days prior to the date the complaint is received. A determination not to exercise its jurisdiction as a result of the untimeliness of a complaint may be made by the Chair alone and may be the subject of a request for rehearing and, thereafter, appeal to the National Board of Review in accordance with the National Board of Review procedures, pursuant to ~~Policy 26.0 of~~ the USA Swimming Operating Policy Manual.

14.2 DEFINITIONS - When used in these Bylaws, the following terms shall have the meanings indicated in this Section, and the definitions of such terms are equally applicable both to the singular and plural forms.

.1-.14 *[no changes]*

.15 NATIONAL BOARD OF REVIEW - the National Board of Review of USA Swimming established in accordance with the National Board of Review procedures, pursuant to ~~Policy 26.0 of~~ the USA Swimming Operating Policy Manual. Where the context requires, a reference to the National Board of Review shall include a reference to the USA Swimming Board of Directors when that body is acting upon an appeal from the National Board of Review.

.16-.21 *[no changes]*

The following changes were made by the USA Swimming House of Delegates, effective September 28, 2024, to change FINA to World Aquatics and to use gender-neutral references:

1.2 OBJECTIVES - The objectives and primary purpose of XXSI shall be the education, instruction and training of individuals to develop and improve their capabilities in the sport of swimming. XXSI shall promote swimming for the benefit of swimmers of all ages and abilities, in accordance with the standards, rules, regulations, policies and procedures of ~~FINA~~ World Aquatics, USA Swimming, and XXSI and its *Articles/Certificate* [select one] of Incorporation.

6.2 OTHER DIRECTORS

.1 ATHLETE BOARD REPRESENTATIVES -

Provision A: Two (2) Athlete Board Representatives shall be elected, one each year for a two-year term, or until their respective successors are elected. At the time of election, the Athlete Board Representative must (a) be an athlete member in good standing; (b) be at least a sophomore in high school or at least 16 years of age, (c) be currently competing, or have competed within the two (2) immediately preceding years, in a USA Swimming sanctioned event conducted by XXSI or another LSC; and (d) have ~~his or her~~ their 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 balloting shall take place via electronic vote and/or at a meeting called for that purpose by the Senior Athlete Board Representative *or the Athletes Committee*, or failing that, at a time and in a manner designated by the Board of Directors. At least *twenty (20)* days' written notice of the election shall be given to all clubs. The Athlete Board Representatives elected shall be determined by a majority of the [define the athlete voting members who elect the Athlete Board Representatives].

Provision B: Two (2) Athlete Board Representatives shall be elected by the House of Delegates, one each year, for a two-year term or until their respective successors are elected. At the time of election, the Athlete Board Representative must (a) be an athlete member in good standing; (b) be at least a sophomore

in high school or at least 16 years of age, (c) be currently competing, or have competed within the two (2) immediately preceding years, in a USA Swimming sanctioned event conducted by XXSI or another LSC; and (d) have ~~his or her~~ their 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).

7.4 STANDING COMMITTEES & COORDINATORS

.1 ATHLETES COMMITTEE -

A CHAIR - The Senior Athlete Board Representative or ~~his or her~~ their designee shall be the chair of the committee.

B-C *[no changes]*

.2-.4 *[no changes]*

7.5 DUTIES OF CHAIRS AND COORDINATORS GENERALLY - The duties of the General Chair, the division chairs, committee chairs, and coordinators (in addition to those provided elsewhere in these Bylaws) shall be as follows:

.1 *[no changes]*

.2 See that all duties and responsibilities of the *coordinator or* the respective division, committee or sub-committee in ~~his or her~~ their charge are properly and promptly carried out;

.3-.6 *[no changes]*

10.4 EXTENT OF INDEMNITY - To the full extent permitted by law, the indemnification provided in this Article shall include expenses (including attorneys' fees, disbursements and expenses), judgments, fines, penalties and amounts paid in settlement, and, except as limited by applicable laws, these expenses shall be paid by XXSI in advance of the final disposition of such action, suit or proceeding. If doubt exists as to the applicability of an exclusion to XXSI's obligation to indemnify, XXSI may require an undertaking from the Indemnified Person obliging ~~him~~ them to repay such sums if it is subsequently determined that an exclusion is applicable. In the case of any person engaged in the sport of swimming for compensation or other gain, if XXSI determines that there is reasonable doubt as to such person's ability to make any repayment, XXSI shall not be obligated to make any payments in advance of the final determination. This indemnification shall not be deemed to limit the right of XXSI to indemnify any other person for any such expenses to the full extent permitted by law, nor shall it be deemed exclusive of any other rights to which any Indemnified Person may be entitled under any agreement, vote of members or disinterested directors or otherwise, both as to action in an official capacity and as to action in another capacity while holding such office.

13.2 ADMINISTRATIVE REVIEW BOARD ORGANIZATION -

.1-.9 *[no changes]*

.10 Substitutions for Member - In the event that a regular member of the Administrative Review Board is unable or unwilling to promptly act for any reason, recuses ~~herself or himself~~ themselves or is disqualified in any particular circumstance, the Chair (or, if the person so unable or unwilling to act or recused or disqualified is the Chair, the Vice-Chair; or failing that, the General Chair) shall appoint an alternate *member* to act in the regular member's place in respect of that circumstance.

14.2 DEFINITIONS - When used in these Bylaws, the following terms shall have the meanings indicated in this Section, and the definitions of such terms are equally applicable both to the singular and plural forms.

.1-.3 *[no changes]*

.4 ATHLETE REPRESENTATIVE - shall be (a) an athlete member in good standing; (b) currently competing, or have competed within the two (2) immediately preceding years, in a USA Swimming sanctioned event conducted by XXSI or another LSC, and (c) have ~~his or her~~ their 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).

.5-.8 *[no changes]*

~~.9 FINA - the Federation Internationale de Natation, the international governing body for the sport of swimming.~~

[re-number remaining]

.20 WORLD AQUATICS - the international governing body for the sport of swimming.

.21 *[no changes]*

The following changes were made by the USA Swimming House of Delegates, effective September 23, 2023, to allow remote meetings of the House of Delegates, to define and clarify the Athlete Board Representatives and the Athlete Representatives, and to remove references to the eliminated sections of Article 4 in the USA Swimming

Rulebook:

1.2 OBJECTIVES - The objectives and primary purpose of XXSI shall be the education, instruction and training of individuals to develop and improve their capabilities in the sport of swimming. XXSI shall promote swimming for the benefit of swimmers of all ages and abilities, in accordance with the standards, rules, regulations, policies and procedures of World Aquatics, USA Swimming, and XXSI and its *Articles/Certificate* [select one] of Incorporation.

2.1.2 MEMBERSHIP A PRIVILEGE NOT A RIGHT - Membership in XXSI and USA Swimming is a privilege and shall not be interpreted as a right. Membership may be terminated by the National Board of Review or the U.S. Center for SafeSport in accordance with ~~Part Four of the USA Swimming Rules and Regulations~~ the National Board of Review procedures, pursuant to Policy 26.0 of the USA Swimming Operating Policy Manual.

4.1.4 ATHLETE AT-LARGE HOUSE MEMBERS - A sufficient number of athletes to ensure that Athlete ~~Members~~ Representatives constitute at least 20% of the voting membership of the House of Delegates shall be *elected by the Athletes Committee or appointed by the General Chair with advice and consent of the Board of Directors or elected by the House of Delegates* [select one of the options] and shall hold office from the date of *appointment or election* [select one] through the conclusion of the annual meeting of the House of Delegates following such *appointment or election* [select one] or until their successors are *appointed or elected* [select one] to the House of Delegates.

4.5.1 Elect the officers, *Athlete Board Representatives, Coach Representative(s), At-Large Board Members, and members of the Administrative Review Board, and the committee chairs and coordinators* listed in Articles 6 and 7;

4.8 Meeting Location and Time - Meetings of the House of Delegates may be held at any date, time, and place, including via telecommunication (unless prohibited by state or local laws), as may be fixed in the notice of such meeting. All in-person 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. ~~If federal, state, or local law, policy, or regulation prohibits physical gathering sufficient to conduct a House of Delegates meeting within the Territory, a House of Delegates meeting may be conducted through conference equipment by means of which all persons participating in the meeting can hear each other at the same time. In that circumstance participation by such means shall constitute presence at that meeting.~~ All meetings conducted via telecommunications shall include means by which all persons participating in the meeting can hear each other at the same time and which ensures all votes duly cast by voting members are officially recorded.

5.1.5 Athlete Board Representatives (2)

5.2 AT-LARGE BOARD MEMBERS - *The House of Delegates may specify* [insert a number] *At-Large positions. Any reduction in the number of At-Large Board Members shall not take effect until the terms of office of the incumbents expire or become vacant.* [Specify when and how at-large Board members are selected.] *Additionally,* a sufficient number of ~~a~~Athlete ~~members~~ Representatives shall be *elected or appointed* [select one] as At-Large Board Members such that athletes constitute at least twenty percent (20%) of the voting membership of the Board of Directors at any given time (taking into account the Athlete Board Representatives). The Athlete At-Large Board Members shall meet the same requirements *and be elected at the same time and place* as the Athlete Board Representatives set forth in Section 6.2.1. All At-Large Board Members shall hold office from the date of their election or appointment through the conclusion of the second annual meeting of the House of Delegates following such election or appointment, or until their successors are elected or appointed.

5.4.1 *No more than* [insert a number] *Members of any Group Member shall serve [as voting members] on the Board of Directors at any time. This limitation shall be applied separately as to Athlete ~~Members~~ Representatives and Non-Athlete Members.*

5.6.10 Remove from office any Board Members, committee chairs, or committee members or coordinators of XXSI who were appointed/elected by the Board and 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 National Board of Review for any of the reasons set forth in ~~Part Four of the USA Swimming Rules and Regulations~~ the National Board of Review procedures, pursuant to Policy 26.0 of the USA Swimming Operating Policy Manual. However, no At-Large Board Member, or committee chair or coordinator may be removed without receiving the thirty (30) days' written notice specifying the alleged deficiency in the performance of the member's responsibilities or specific

official duties or other reasons and an opportunity to respond in writing within twenty (20) days to such allegations.

6.2.1 ATHLETE BOARD REPRESENTATIVES -
Provision A: Two (2) Athlete Board Representatives shall be elected, one each year for a two-year term, or until their respective successors are elected. At the time of election, the Athlete Board Representative must (a) be an athlete member in good standing; (b) be at least a sophomore in high school or at least 16 years of age, (c) be currently competing, or have competed within the ~~three (3)~~ two (2) immediately preceding years, in a USA Swimming sanctioned event ~~the program of swimming~~ conducted by XXSI 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 balloting shall take place via electronic vote and/or at a meeting called for that purpose by the Senior Athlete Board Representative *or the Athletes Committee*, or failing that, at a time and in a manner designated by the Board of Directors. At least *twenty (20)* days' written notice of the election shall be given to all clubs. The Athlete Board Representatives elected shall be determined by a majority of the [define the athlete voting members who elect the Athlete Board Representatives].

Provision B: Two (2) Athlete Board Representatives shall be elected by the House of Delegates, one each year, for a two-year term or until their respective successors are elected. At the time of election, the Athlete Board Representative must (a) be an athlete member in good standing; (b) be at least a sophomore in high school or at least 16 years of age, (c) be currently competing, or have competed within the ~~three (3)~~ two (2) immediately preceding years, in a USA Swimming sanctioned event ~~the program of swimming~~ conducted by XXSI 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).

6.2.3 COMMITTEE CHAIRS/COORDINATORS/AT-LARGE BOARD MEMBERS

A. *The following committee chairs/coordinators/at-large Board members shall be elected by the House of Delegates:* [List as appropriate]
B. *The following committee chairs /coordinators/ at-large Board members shall be elected as follows:* [List as appropriate]
EXAMPLES:
(1) The Officials Chair shall be elected by the Officials Committee in accordance with XXSI Policies and Procedures.
(2) At-Large Board members shall be elected by the regions they represent in accordance with the rules of each region or the XXSI Policies and Procedures.
(3) The Athlete At-Large Board members shall be elected by the athletes at the same time as the Athlete Board Representatives.
C. *The following committee chairs/coordinators/ at-large Board members shall be appointed by the General Chair with advice and consent of the Board of Directors:* [List as appropriate]

6.9.2 OFFICES OF ATHLETE BOARD REPRESENTATIVES OR COACH REPRESENTATIVES OR ANY POSITION ELECTED - In the event of a vacancy or of the permanent incapacity of a person holding the office of Athlete Board Representative or Coach Representative, or person who has been elected, the General Chair may appoint, with the advice and consent of the Board of Directors, an eligible member to serve the remainder of the term of office or until the respective body shall elect a successor.

7.3 COMMITTEES - In addition to the standing committees listed herein, the Board of Directors and the House of Delegates are each authorized to establish additional committees to meet programming needs. Except as otherwise provided in these Bylaws or the XXSI Policies and Procedures, members of each committee shall be appointed by the General Chair with the advice and consent of the respective division chair and the chair of the committee. Athlete ~~members~~ Representatives of each committee shall be appointed by the General Chair with the advice of the Senior Athlete Board Representative. Athlete membership shall constitute at least twenty percent (20%) of the voting membership of every committee. The division chair shall be an ex-officio member, with voice and vote, of each committee within the respective division.

7.4.1 ATHLETES COMMITTEE -

A. CHAIR - The Senior Athlete Board Representative or his/her designee shall be the chair of the committee.
B. MEMBERS - The Athletes Committee shall consist of the Athlete Board Representatives, the Athlete At-Large Board members *and* [include any additional ~~a~~Athlete ~~members~~ Representatives].

7.4.2 FINANCE COMMITTEE -

B. MEMBERS - The members of the Finance Committee shall be the Finance Vice-Chair, the Treasurer, [include additional defined members] and a sufficient number of ~~athletes~~ Athlete Representatives so as to constitute at least twenty percent (20%) of the voting membership of the Committee.

Provision A (combined Governance & Nominating Committee)

7.4.3 GOVERNANCE COMMITTEE -

B. *Option 1* MEMBERS -

The Governance Committee members shall be appointed by the General Chair with advice and consent of the Board of Directors. The Committee shall be comprised of [list the number in factors of 3 or 4, in alignment with the term of office] with a sufficient number of ~~athletes~~ Athlete Representatives so as to constitute at least twenty percent (20%) of the voting membership of the Committee. Each member shall serve a *three or four-year* [select one] term, staggered so that *one-third (1/3) or one-fourth (1/4)* [select one to coincide with factor selected above] of such members are appointed each year. No more than one-half (1/2) of the Governance Committee members shall be members of the XXSI Board of Directors at any given time. After completion of two consecutive terms, members are not eligible for re-appointment to the Governance Committee until after a lapse of two years. A portion of any term served to fill a vacancy in the position shall not be considered in the computation of the successive term limitation. In no case shall the General Chair serve on the Governance Committee.

B. *Option 2* MEMBERS -

The Governance Committee shall be elected by the House of Delegates and shall be comprised of at least [insert a number] members, with a sufficient number of ~~athletes~~ Athlete Representatives so as to constitute at least twenty percent (20%) of the voting membership of the Committee. No more than one half of the Committee shall be members of the XXSI Board of Directors. If any member of the Governance 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 Governance Committee. Members shall serve two-year terms, staggered so that approximately one-half of the members are elected each year. After completion of three consecutive terms, members are not eligible to be elected or appointed to the Governance Committee until after a lapse of two years. A portion of any term served to fill a vacancy in the position shall not be considered in the computation of the successive term limitation.

Provision B (separate Governance & Nominating Committees)

7.4.3 NOMINATING COMMITTEE -

B. MEMBERS - The House of Delegates shall annually elect at least [insert a number] individuals to the Nominating Committee to serve a one-year term, with a sufficient number of ~~athletes~~ Athlete Representatives so as to constitute at least twenty percent (20%) of the voting membership of the Committee. Terms shall commence at the conclusion of the meeting at which members were elected and end when their successors assume office. 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. No individual shall be eligible to serve more than six (6) consecutive years on the Nominating Committee until after a lapse of two years. A portion of any term served to fill a vacancy in the position shall not be considered in the computation of the successive term limitation. In no case shall the General Chair serve on the Nominating Committee.

7.4.4 GOVERNANCE COMMITTEE -

B. MEMBERS - The Governance Committee members shall be appointed by the General Chair with advice and consent of the Board of Directors. The Committee shall be comprised of at least [insert a number] members with a sufficient number of ~~athletes~~ Athlete Representatives so as to constitute at least twenty percent (20%) of the voting membership of the Committee. Each member shall serve a *three or four-year* [select one] term. Terms shall be staggered such that approximately *one-third (1/3) or one-fourth (1/4)* [select one to coincide with term selected above] of members are appointed each year.

7.4.4 OPERATIONAL RISK *COMMITTEE/COORDINATOR*

B. MEMBERS - The Committee shall be comprised of the Operational Risk Committee Chair, at least [insert a number] members with a sufficient number of ~~athletes~~ Athlete Representatives so as to constitute at least twenty percent (20%) of the voting membership of the Committee.

7.4.5 *EXECUTIVE COMMITTEE*

B. MEMBERS - The members of the Executive Committee shall be the

(8) Senior Athlete Board Representative, and

(9) Junior Athlete Board Representative.

13.1 INTRODUCTION - USA Swimming was organized as the National Governing Body for the sport of swimming under the Amateur Sports Act of 1978, as amended by the Ted Stevens Olympic and Amateur Sports Act of 1998, both federal laws. These laws require USA Swimming to establish and maintain provisions for the swift and equitable resolution of all disputes involving any of its members. This Article, together with Section 2.2 and ~~Part Four of the USA Swimming Rules and Regulations~~ the National Board of Review procedures, pursuant to Policy 26.0 of the USA Swimming Operating Policy Manual, are intended to provide a mechanism for resolving in an orderly and fair way all manner and kinds of disputes that may arise among its members in connection with the sport of swimming. Accordingly, XXSI has established the Administrative Review Board to hear complaints and appeals regarding administrative matters within XXSI which do not rise to the level of Code of Conduct violations and are not appeals of sanction decisions. The Administrative Review Board shall have no jurisdiction to hear complaints regarding conduct that may violate the USA Swimming Code of Conduct or otherwise violate the policies, procedures, rules and regulations adopted by USA Swimming, or conduct that may bring USA Swimming, XXSI or the sport of swimming into disrepute. This Article, together with ~~Part Four of the USA Swimming Rules and Regulations~~ the National Board of Review procedures, pursuant to Policy 26.0 of the USA Swimming Operating Policy Manual, is intended to provide a fair hearing before a group of independent and impartial people. This Article and ~~Part Four of the USA Swimming Rules and Regulations~~ the National Board of Review procedures, pursuant to Policy 26.0 of the USA Swimming Operating Policy Manual shall be construed accordingly.

13.2.2 Members - The Administrative Review Board shall have at least [insert a number] regular members, with a sufficient number of ~~athlete members~~ *Athlete Representatives* to constitute at least 20% of the voting membership. At least three members of the Administrative Review Board shall hear each case, with a sufficient number of ~~athlete members~~ *Athlete Representatives* to constitute at least twenty percent (20%) of its membership. No hearing shall proceed without the required athlete representation. The House of Delegates may increase the number of regular *or alternate* members by resolution but subsequent to the adoption of these Bylaws may only decrease the number of regular *or alternate* members upon the expiration of the term of office of any incumbent members.

13.3.4 Timeliness of Petition - The Administrative Review Board need not exercise its jurisdiction with respect to a complaint the subject matter of which occurred, or concerns or is founded on events which occurred, more than ninety (90) days prior to the date the complaint is received. A determination not to exercise its jurisdiction as a result of the untimeliness of a complaint may be made by the Chair alone and may be the subject of a request for rehearing and, thereafter, appeal to the National Board of Review ~~pursuant to Part Four of the USA Swimming Rules and Regulations~~ in accordance with the National Board of Review procedures, pursuant to Policy 26.0 of the USA Swimming Operating Policy Manual.

14.2.3 ATHLETE BOARD REPRESENTATIVE - an Athlete Member elected to represent athletes in the House of Delegates and on the Board of Directors.

14.2.4 ATHLETE REPRESENTATIVE - shall be (a) an athlete member in good standing; (b) currently competing, or have competed within the two (2) immediately preceding years, in a USA Swimming sanctioned event conducted by XXSI or another LSC; and (c) 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).

[re-number remaining]

14.2.16 NATIONAL BOARD OF REVIEW - the National Board of Review of USA Swimming established ~~pursuant to Part Four of the USA Swimming Rules and Regulations~~ in accordance with the National Board of Review procedures, pursuant to Policy 26.0 of the USA Swimming Operating Policy Manual. Where the context requires, a reference to the National Board of Review shall include a reference to the USA Swimming Board of Directors when that body is acting upon an appeal from the National Board of Review.

14.2.20 WORLD AQUATICS - the sole and exclusive world governing body for all aquatics.

The following change was made by the USA Swimming House of Delegates, effective January 1, 2023, to require all LSC House of Delegates members to be members of USA Swimming:

- 4.1 MEMBERS - The House of Delegates of XXSI shall consist of the Group Member Representatives, the Board of Directors Members, *certain committee chairs and coordinators*, the Non-Athlete At-Large House Members, and the Athlete At-Large House Members *appointed or elected* [select one].
  - .1 GROUP MEMBER REPRESENTATIVES - Each Group Member in good standing shall appoint from its membership a Group Member Representatives *and one or more alternates for each*. The appointment shall be in writing, addressed to the Secretary of XXSI and duly certified by the chief executive officer or secretary of the appointing Group Member. The appointing Group Member may withdraw *one or more of* its Group Member Representatives or *one or more of* its alternates and substitute a new Group Member Representatives or new alternates by written notice, addressed to the Secretary of XXSI and signed by the chief executive officer or secretary of the appointing Group Member. The representatives of any Group Member are ~~not~~ required to be Individual Members of ~~XXSI or~~ USA Swimming.

- 6.3 ELIGIBILITY - Only Individual Members of ~~XXSI and~~ USA Swimming in good standing with XXSI and USA Swimming shall be eligible to hold office and must maintain their eligibility throughout their term of office.

The following change was made by the USA Swimming House of Delegates, effective January 1, 2023, to add the Diversity, Equity & Inclusion (DEI) Chair/Coordinator as a member of the LSC Board of Directors:

- 5.1.12 Diversity, Equity and Inclusion (DEI) *Chair/Coordinator*

Footnote: *Insert the DEI Chair/Coordinator into the proper section of 6.2.3 as appropriate for your LSC.*

The following change was made by the USA Swimming House of Delegates, effective September 26, 2020, for those LSCs whose states of incorporation permit electronic meetings:

- 4.8 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. If federal, state, or local law, policy, or regulation prohibits physical gathering sufficient to conduct a House of Delegates meeting within the Territory, a House of Delegates meeting may be conducted through conference equipment by means of which all persons participating in the meeting can hear each other at the same time. In that circumstance, participation by such means shall constitute presence at that meeting.

The following are changes made as a result of the House of Delegates eliminating the Zone Boards of Review (effective January 1, 2020):

- 2.1.2 MEMBERSHIP A PRIVILEGE NOT A RIGHT - Membership in XXSI and USA Swimming is a privilege and shall not be interpreted as a right. Membership may be terminated by the ~~Zone Board of Review,~~ National Board of Review or the U.S. Center for SafeSport in accordance with Part Four of the USA Swimming Rules and Regulations.

- 4.5.9 Remove from office any persons elected by the House of Delegates (Board Members, *members of the Administrative Review Board,* or committee chairs 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 ~~Zone~~ National Board of Review for any of the reasons set forth in Article 404~~.13~~ of USA Swimming Rules and Regulations. However, no such individual may be removed without receiving 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 the member's responsibilities or specific official duties or other reason and an opportunity to respond in writing within twenty (20) days to such allegations.

- 5.6.10 Remove from office any Board Members, committee chairs, or committee members or coordinators of XXSI who were appointed/elected by the Board and 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 ~~Zone~~ National Board of Review for any of the reasons set forth in Part Four of the USA Swimming Rules and Regulations. However, no At-Large Board Member, or committee chair or coordinator may be removed without receiving the thirty

(30) days' written notice specifying the alleged deficiency in the performance of the member's responsibilities or specific official duties or other reasons and an opportunity to respond in writing within twenty (20) days to such allegations.

- 10.2 EXCLUSION - The indemnification provided by this Article 10, shall not apply to any Indemnified Party whose otherwise indemnified conduct is finally determined to have been in bad faith, self-dealing, gross negligence, wanton and willful disregard of applicable laws, rules and regulations, of the USA Swimming Rules and Regulations, of the USA Swimming Code of Conduct or these Bylaws or who is convicted of a crime (including felony, misdemeanor and lesser crimes) involving sexual misconduct, child abuse, violation of a law specifically designed to protect minors or similar offenses, or who is found by the ~~Zone Board of Review,~~ National Board of Review or the U.S. Center for SafeSport to have committed actions which would be the basis for such a conviction and, in each case, the otherwise indemnifiable conduct (or failure to act) was, or was directly related to, the predicate acts of the conviction or finding.

- 13.3.4 Timeliness of Petition - The Administrative Review Board need not exercise its jurisdiction with respect to a complaint the subject matter of which occurred, or concerns or is founded on events which occurred, more than ninety (90) days prior to the date the complaint is received. A determination not to exercise its jurisdiction as a result of the untimeliness of a complaint may be made by the Chair alone and may be the subject of a request for rehearing and, thereafter, appeal to the ~~Zone~~ National Board of Review pursuant to Part Four of the USA Swimming Rules and Regulations.

- 14.2.20 – ~~Zone Board of Review~~ (delete definition)

The following changes are corrections made to the original template (effective 2019):

- 2.1.1 MEMBERS - A Member's status is subject to the Member's continued satisfaction of the criteria for membership and compliance with the Member's responsibilities under these Bylaws, the USA Swimming ~~Rules and Regulations~~ Corporate Bylaws, the rules, regulations, policies, procedures and code of conduct of XXSI and USA Swimming.

- 2.2.2 RESPONSIBILITY FOR INFRACTIONS - A Group Member or Individual Member, as defined in USA Swimming ~~Rules and Regulations~~ Corporate Bylaws, may be held responsible for infractions of the policies, procedures, rules, regulations or codes of conduct or ethics adopted by USA Swimming or XXSI, including its responsibilities as set forth in these Bylaws.

- 4.1 MEMBERS - The House of Delegates of XXSI shall consist of the Group Member Representatives, the Board of Director Members, ~~*the*~~ *certain committee chairs and coordinators,* the Non-Athlete At-Large House Members, and Athlete At-Large House Members *appointed or elected* [select one].

- 5.4.*1 No more than* [insert a number] *Members of any Group Member shall serve [as voting members] on the Board of Directors at any time. This limitation shall be applied separately as to Athlete Members and Non-Athlete Members.*

- 13.1 INTRODUCTION - USA Swimming was organized as the National Governing Body for the sport of swimming under the Amateur Sports Act of 1978, as amended by the Ted Stevens Olympic and Amateur Sports Act of 1998, both federal laws. These laws require USA Swimming to establish and maintain provisions for the swift and equitable resolution of all disputes involving any of its members. This Article, together with Section ~~60~~2.2 and Part Four of the USA Swimming Rules and Regulations, are intended to provide a mechanism for resolving in an orderly and fair way all manner and kinds of disputes that may arise among its members in connection with the sport of swimming. *[no further change]*