

# **BYLAWS OF THE VIRGINIA PENINSULA SWIM UNION**

(As Adopted through February 2007)

## **ARTICLE I**

The name of this group shall be the Virginia Peninsula Swim Union and may also be cited as “the Union”, “the League”, or as “VPSU”.

## **ARTICLE II**

### **PURPOSE**

The purpose of VPSU is to promote local competitive swimming on the Virginia Peninsula as a means of fostering area-wide representation in state and national competition in general accordance with the competitive swimming rules of USA Swimming, Inc.

## **ARTICLE III**

### **MEMBERSHIP**

Section 1. Membership in VPSU shall be by team membership, each of which shall be an organized community swimming team.

Section 2. Each member team shall provide one (1) representative to the Union. The entire body of representatives together with the elected officers shall constitute the Board of Directors. For designation purposes the Board of Directors will hereinafter be referred to as the Board.

Section 3. Any member team desiring to resign from VPSU shall inform the Secretary who will notify the Executive Committee of the team’s intentions.

Section 4. All applications for membership should be submitted in writing to the Secretary who will forward them to the Executive Committee. Applications for membership shall be submitted by March 1 of the year in which membership is sought. The Executive Committee shall, upon determining that the application is in order, cause the request to be placed on the agenda of the Board.

Section 5. A simple majority is required to admit an applicant to membership in VPSU.

Section 6. The Union may admit members provisionally, subject to conditions for a specified period of time, if the Board determines that such action is in the best interest of the Union.

Section 7. The Board of Directors, and the Executive Committee in an emergency, shall have the power to impose sanctions against a member team or person affiliated with any member team (a) for failure to fulfill any duty to the Union, (b) for violation of the By-Laws or Rules of the Union or decisions of the Board of Directors, or (c) for bringing the sport into disrepute. Sanctions may include, without limitation, warning, reprimand, fine, probation, suspension, or expulsion. Before any sanction may be imposed, the member team representative or person shall be notified in writing by the Secretary of the Union of the right to appear before the Board of Directors at a

meeting where sanctions will be considered. Sanctions may be imposed by the Executive Committee without such notice and/or appearance, provided that any disposition by the Executive Committee shall be subject to appeal to the Board of Directors at its next regular meeting, or upon written request of the member team or person subject to sanctions, at a special meeting held within 30 days of such request, with notice and right of appearance in either case.

#### ARTICLE IV OFFICERS

Section 1. The officers of VPSU shall be a President, Past-President, President-Elect, Vice President, Secretary, Treasurer, Awards Chairman, Publicity Chairman, Rules Chairman, and Championship Meet Director. These officers shall perform the duties prescribed in Article V.

Section 2. The President, President-Elect and Championship Meet Director shall be elected annually at the first regular meeting in October and serve for a term of one year. The Past-President shall be automatically elected at the same time for a term of one year by virtue of his or her tenure as President during the preceding year. The other Officers shall be elected at the first regular meeting in October to serve for terms of two years or until their successors are elected. The Vice President, Secretary, and Awards Chairman shall be elected in even-numbered years. The Treasurer, Rules Chairman and Publicity Chairman shall be elected in odd-numbered years.

Section 3. No member shall hold more than one office at a time except that an officer other than the President may serve as chairman of a standing committee.

#### ARTICLE V DUTIES OF OFFICERS

Section 1. Each officer shall be responsible for the performance of any and all duties assigned to his office as specified below.

Section 2. The duties and responsibilities of the President are as follows:

- a. Calls and presides over meetings of the Board of Directors and Executive Committee.
- b. Appoints special committees as appropriate.
- c. Is the official spokesperson and representative for the League.
- d. Is an ex-officio member of committees.
- e. Has the ultimate responsibility for the administration of all League functions.

Section 3. The duties and responsibilities of the Past-President are as follows:

- a. Advise and assist the President and President-Elect as to any matters pertaining to the League.
- b. Perform such duties and responsibilities as may be directed by the President.

Section 4. The duties and responsibilities of the President-Elect are as follows:

- a. Shall assume the duties of President in the absence of the President.
- b. Advise and assist the President as to any matters pertaining to the League.
- c. Perform such duties and responsibilities as may be directed by the President or the Executive Committee.

- d. Arrange for supplies (other than ribbons) necessary for the conduct of meets to be provided to member teams.
- e. Prepare and plan for the next League swim season.
- f. Serve as chair of the Nominating Committee.

Section 5. The duties and responsibilities of the Vice President are as follows:

- a. Assumes the duties of President in the absence of the President and President-Elect.
- b. Is responsible for League training programs for Board members, Meet Directors, and other officials and coaches.
- c. Serves as Officials Chairman for the Championship Meet and other division wide or League wide meets.
- d. Assumes additional duties as assigned by the President or Executive Committee.

Section 6. The duties and responsibilities of the Secretary are as follows:

- a. Shall be responsible for maintenance of all League records including minutes of the Board of Directors and Executive Committee meetings and the current roster thereof.
- b. Mail meeting notices and agenda to all Board members.
- c. Conduct all necessary correspondence.
- d. Assume additional duties as assigned by the President or Executive Committee.

Section 7. The duties and responsibilities of the Treasurer are as follows:

- a. Assumes the duties of President in the absence of the President, President-Elect and Vice President.
- b. Be responsible in consultation with the Executive Committee as required for the preparation of the annual budget.
- c. Collect all League dues and team fees.
- d. Prepare League supply orders and collects appropriate shares from each team.
- e. Handle all League funds.
- f. Prepare all necessary I.R.S. reports
- g. Present a financial position statement at each meeting.
- h. Assume additional duties as directed by the President or Executive Committee.

Section 8. The duties and responsibilities of the Awards Chairman are as follows:

- a. Shall preside over the meeting of the Awards Committee.
- b. Annually develop and submit to the Board of Directors for approval a coordinated League awards program.
- c. Implement the approved awards program.

Section 9. The duties and responsibilities of the Rules Chairman are as follows:

- a. Shall preside over the meeting of the Rules Committee.
- b. Provide reports of committee meetings to the Board.
- c. Provide an up-to-date copy of VPSU Competitive Rules to all Board members.
- d. Take rule change suggestions to the committee and provide recommendations to the Board at the next scheduled meeting.
- e. Serve as arbitrator of rules; resolve any questions between meetings of the Board, provided that all decisions of the Chairman are appealable to the Board within 72 hours.

- f. Maintain a roster of each VPSU team's swimmers for the current swim season.
- g. Perform other duties as directed by the President or Executive Committee.

Section 10. The duties and responsibilities of the Championship Meet Director are as follows:

- a. Coordinate all preparations for the annual Championship Meet, including facility arrangements, equipment, entry procedures, and other aspects of meet operations.
- b. Assign duties to each VPSU member team to assist in meet operations.

## ARTICLE VI EXECUTIVE COMMITTEE

Section 1. The officers of VPSU, along with the Championship Meet Director who shall act ex-officio, shall comprise the Executive Committee.

Section 2. At the discretion of the Executive Committee, the Chairman of temporary, special, or other committees may be requested to participate in meetings of the Executive Committee.

Section 3. Meetings of the Executive Committee shall be called if deemed necessary by the President or any member of the Executive Committee.

Section 4. The Executive Committee shall be the governing body of the League between meetings of the Board of Directors.

## ARTICLE VII COMMITTEES

Section 1. Team Representatives shall be appointed by the President to serve on standing committees for one-year terms to begin following the October regular meeting each year. Each team shall serve on at least one of the standing committees during the year. Additional committees may be appointed when the Board of Directors or Executive Committee deems it necessary.

Section 2. The following committees are standing committees in the Union: Awards Committee, Rules Committee, Nominating Committee, Officials Committee, and Publicity Committee.

Section 3. The Rules Committee shall be comprised of Team Representatives from one-third of the member teams rounded up to the next whole number. Membership shall be approximately representative of the current divisional alignment of the League. No team shall serve more than two (2) successive terms on the Rules Committee and teams rotating off the committee shall not be re-appointed until all other teams have served at least one term. The President and Officials Committee Chairman shall be ex-officio members of the Rules Committee. Additional non-voting members may be appointed by the President or the Rules Committee Chairman as deemed necessary.

Section 4. The Officials Committee shall be comprised of Team Representatives from one-third of the member teams rounded up to the next whole number. Membership shall be approximately

representative of the current divisional alignment of the League. No team shall serve more than two (2) successive terms on the Officials Committee and teams rotating off the committee shall not be re-appointed until all other teams have served at least one term. The Vice President of the Union shall serve as Chairman of the Officials Committee. The President and Rules Committee Chairman shall be ex-officio members of the Officials Committee.

Section 5. The Awards Committee shall be comprised of no fewer than three (3) Team Representatives.

Section 6. The Nominating Committee shall be comprised of the President-Elect, who shall serve as Chairman, and no fewer than three (3) Team Representatives. The President shall be an ex-officio member of the Nominating Committee.

Section 7. The Publicity Committee shall be comprised of one or more members who shall handle public relations for the League and who shall develop procedures so that Team Representatives may provide results to the Chairman for incorporation into local newspapers.

## ARTICLE VIII PARLIAMENTARY AUTHORITY

The goal of the Union shall be to operate by consensus. However, if achieving consensus on an issue is not possible, the rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern unless they are inconsistent with these bylaws or any special rules of order VPSU may adopt. The Rules Chairman shall serve as Parliamentarian when necessary.

## ARTICLE IX SPONSORED EVENTS

Section 1. The Union shall annually conduct the following events:

- a. Championship Meet – a single Championship Meet shall be conducted at which time all swimmers in the League having both achieved the established qualification time in the competition and participated in the requisite number of meets shall be eligible to compete.
- b. Peninsula/Williamsburg Summer Awards Meet(s) – one or more Summer Awards Meet(s) shall be conducted near the end of the swim season at which time all swimmers in the League shall be eligible to compete in those events in which they have not achieved a Championship Meet qualification time in competition.
- c. Meet Director's and Coach's Workshop – a single workshop shall be conducted to jointly familiarize all meet directors, referees, and coaches with the VPSU Competitive Rules and the League policies and procedures to be effective during the ensuing swim season and in the proper methods for the conduct of League swim events.
- d. Rules Clinic – one or more clinics shall be conducted to train deck and administrative officials in the USA Swimming and VPSU Competitive Rules and the proper manner to perform the functions necessary for the conduct of League swim meets. At each rules clinic, training will be offered for the following positions, at a minimum: stroke and turn judge, scorekeeper, timer, head timer, and starter. Other training may be offered if the League determines it to be appropriate.

Section 2. The Union may conduct or sanction the conduct of other events such as relay carnivals, swim-a-thons, distance meets, or other events as deemed appropriate by the Board of Directors.

Section 3. The Union shall pay for all awards and expenses of events it sponsors or arrange for a cost sharing arrangement with the host teams. Meet entry fees may be charged for the Summer Awards Meet(s), Championship Meet, and other events as deemed appropriate by the Board of Directors in establishing an annual budget and event schedule. Host teams shall be entitled to share in the entry fees to the extent authorized by the Board of Directors.

## ARTICLE X AWARDS

Section 1. The Union shall annually recognize the achievements of its member teams and individual swimmers. It shall be the responsibility of the Awards Committee to coordinate the awards program of VPSU.

Section 2. The following team awards shall be presented by the Union at the Championship Meet:

- a. Division Championship Awards consisting of a rotating banner and a permanent plaque or trophy to the team in each division with the best won-lost record based on scheduled competition between teams within the division or, in the case of a tie, the team declared the division champion.
- b. Williamsburg/Peninsula Summer Awards Meet(s) Team awards consisting of a permanent plaque or trophy for first, second, and third places to teams accumulating points at the Williamsburg/Peninsula Summer Awards Meet(s). If more than one Summer Awards Meet is conducted, Team awards shall be awarded at each one based solely on the points scored at that meet. The top twelve swimmers shall score in each event unless the Board of Directors shall specify a greater number prior to the season commencing.
- c. Championship Meet Awards consisting of a permanent plaque or trophy for first, second, and third places to teams accumulating points at the Championship Meet. The top twelve swimmers shall score in each event unless the Board of Directors shall specify a greater number prior to the season commencing.
- d. Division Sportsmanship Awards consisting of a permanent plaque to the team exhibiting the best sportsmanship in each division based on input from the teams in each division. The selection process shall be administered by the Awards Committee and shall solicit the opinions from the Team Representative, coach, and athletes from each team. Input from athletes shall result from some sort of democratic process.
- e. Division Relay Carnival Team Awards consisting of a permanent plaque for first place at sanctioned divisional or League-wide relay carnival(s), if such event(s) is (are) held. If more than one relay carnival is conducted, Championship Awards shall be awarded at each.

Section 3. The following individual awards shall be presented by the Union:

- a. Triple Winner Certificates to each swimmer in the League who wins three individual events in a single scheduled dual meet.

- b. Double Winner Certificates to each 6 and younger swimmer in the League who wins two individual events in a single scheduled duel meet.
- c. Triple Triple Certificates will be awarded to each swimmer in the League who is a triple winner in three scheduled dual meets during the season. Triple Award winners will be listed in the Championship Meet Program.
- d. Championship Meet Place Awards to swimmers placing in individual and relay events at the Championship Meet. The number and form of the place awards shall be determined annually by the Board of Directors.
- e. Championship Meet Triple Winner Awards to swimmers winning three individual events at the Championship Meet. The form of the award shall be determined annually by the Championship Meet Director in consultation with the Board of Directors.
- f. Championship Meet High Point Awards to the one swimmer in each age group and sex accumulating the most points at the Championship Meet. In case of ties, all tied swimmers shall receive the award. The form of the award shall be determined annually by the Championship Meet Director in consultation with the Board of Directors.
- g. Championship Meet Record-Breaker Awards to swimmers establishing new event records at the Championship Meet. In the case of relays, all members of the relay team shall receive an award. The form of the award shall be determined annually by the Championship Meet Director in consultation with the Board of Directors.

Section 4. The Union, upon recommendation of the Awards Committee, may make other such special or periodic awards as are deemed appropriate. Volunteers and athletes who have made exceptional contributions, especially over a sustained period of time, may be recognized in any such reasonable manner as the Awards Committee chooses after consulting with the Board of Directors or Executive Committee.

Section 5. Teams shall return rotating banners awarded during the swim season to the President of the League or the Chairman of the Awards Committee on or before the second meeting of the Board of Directors in the year following the award. If any banner is not returned, or is lost, spoiled or destroyed, as of such date, the team shall pay to the Treasurer of the League the replacement cost of the banner.

## ARTICLE XI DIVISIONS

Section 1. For the purpose of intra-league competition, the Union shall be divided into two or more divisions. The purpose of the divisions shall be to group teams of similar characteristics, such as size and competitiveness, so that dual meets are competitive and exciting.

Section 2. The Union shall review the membership of each division on an annual basis and make adjustments as deemed necessary by majority vote of the Board of Directors. The Rules Committee may provide recommendations based on team roster sizes, dual meet scores and standings from the previous season, Championship Meet standings, and other pertinent factors.

Section 3. Ties in Division standings for other than first place, and ties in Championship Meet

standings, shall not be broken. Ties for first place in division standings shall be broken, except as follows, by awarding first place:

- a. to the winner of the head-to-head meet scheduled dual meet competition between the tied teams, including any forfeited meet; or
- b. in case of a tied or no dual meet competition or a three-way tie between the tying teams, to the team scoring the highest number of points in scheduled dual meet competition within the division; or
- c. in case of a continuing tie, to the team allowing the least amount of total points against it in scheduled dual meet competition within the division.

For purposes of subparagraphs (b) and (c), no points shall be included from competition with any team that has forfeited a scheduled dual meet, whether or not in a meet with the tying team. In the event the foregoing procedures do not break a tie for first place in the division, the rule Committee shall declare a tie between the teams not excluded by the tie-breaking procedures and each of the teams shall be declared Co-Champions of that division.

## ARTICLE XII VOTING

All votes, except those involving amendments to these bylaws, require a simple majority of those present for passage. Each Team Representative and Officer shall have one vote: individuals serving in more than one capacity shall have a single vote. The President shall vote only when there is a deadlock.

## ARTICLE XIII AMENDMENT OF COMPETITIVE RULES

The Virginia Peninsula Swim Union Competitive Rules may be amended by a vote of the Board of Directors equaling a majority of those present and voting at a regularly scheduled meeting or at a special meeting called for that purpose. Proposed amendments shall be available for discussion at two consecutive meetings of the Board of Directors with no fewer than twenty-one (21) days intervening. Discussion may occur at the first meeting, however no action may occur until the second meeting. The Secretary will ensure that copies of such proposed amendments are mailed to each Board member at least fourteen (14) days prior to the second meeting at which the amendments are to be considered. Notwithstanding the foregoing, nothing herein shall be deemed to prevent (a) reconsideration of a proposed amendment at the next regularly scheduled Board of Directors meeting following the meeting at which a vote on such amendment was previously taken, or (b) consideration of a proposed amendment upon a finding by the Executive Committee that an emergency requires immediate consideration of a proposed amendment by the Board of Directors, in which event the notice requirements of this Article shall not apply.

## ARTICLE XIV AMENDMENT OF BYLAWS

These Bylaws may be amended by a vote of the Board of Directors equaling two-thirds (2/3) of those present and voting at a regularly scheduled meeting or at a special meeting called for that purpose. Proposed amendments shall be available for discussion at two consecutive meetings of the Board of Directors with no fewer than twenty-one (21) days intervening. Discussion may occur at the first meeting, however no action may occur until the second meeting. The Secretary will ensure that copies of such proposed amendments are mailed to each Board member at least fourteen (14) days prior to the second meeting at which the amendments are to be considered.

## ARTICLE XV CORPORATE POWERS; INTERPRETATION

Except to the extent otherwise expressly provided in the Articles of Incorporation of the Virginia Peninsula Swim Union and/or any By-Law, the Virginia Peninsula Swim Union shall have all of the powers granted to Virginia non-stock corporations under the Article 4 of the Virginia Nonstock Corporation Act (§ 13.1-825-828 of the Virginia Code, as amended from time to time), and shall be governed by the provisions of Articles 7 and 8 thereof (§§ 13.1-837-874 of the Virginia Code, as amended from time to time) with respect to Members and Meetings and directors and Officer, provided that in the event of any conflict between the express provision of the Articles of Incorporation and/or any By-Law, and any provision of the aforementioned Articles 7 and 8 of the Virginia Nonstock Corporation Act, the provisions of the Articles of Incorporation and/or any By-Law shall control.

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Bylaws as amended through June 2006.

Amendments approved April 2003 (Art. XIII – Art. XIII Amendment of By-Laws renumbered to Art. XIV. Art. XIII - new provision providing for amendment to competitive rules after discussion at two Board meetings, except permitted immediate adoption upon finding of emergency by Executive Committee or reconsideration of rules amendment adopted at previous meeting.)

Amendments approved May 2003 (Art. X, 2(d) – deleted rotating trophy for sportsmanship; Art. X, 2(f) – new provision providing for timely return of rotating banners; replacement of lost, spoiled or ruined banners. Art. X, 3(h) – deleted coach excellence award. )

Amendment approved April 2004 (Art. XI, 3 – deleted provision providing for no tie-breaking in division standings and inserted in lieu thereof a tie breaking procedure for first place tie based first on head-to-head competition between tying teams; second, on highest number of points scored in scheduled dual meet competition; and third, on least amount of points scored against tying teams; subject ultimately to “declared tie” if tie-breaking procedures result in tie.)

Amendment approved October 2004 (Art. XI, 1(b) – replace the term “Mini-Meets” with “Williamsburg/Peninsula Summer Awards Meet(s)” and subsequent conforming changes of “Summer Awards Meet(s).”

No Amendments 2005.

Amendment approved May 16, 2005 (Art. XV – due to incorporation of VPSU on May 16, 2005, added corporate powers under the Virginia Nonstock Corporation Act and provided for interpretation in the event of conflict of those powers and Articles of Incorporation and By-Laws.)

Amendments approved February 13, 2007 (Art. IV – added offices of President-Elect and Past President with one year term of office; changed terms of office for President and Championship Meet Director from two years to one year; Art. V – added duties of President-Elect and Past President and provided for assumption of Presidential duties by President-Elect, Vice-President and Treasurer, in that order; Art. VI – provided for President-Elect to chair the Nominating Committee.)