

By-Laws

Texas

Swimming

Association

2009

Article I: Name Purpose, Objectives and Jurisdiction

1.1 Name:

The name of this organization shall be the Texas Swimming Association, Inc. (TSA)

1.2 PURPOSE:

The primary purpose of TSA shall be the education of all individuals for the purpose of developing and improving their capabilities in the sport of swimming. TSA shall promote swimming for the benefit of swimmers of all ages and abilities in accordance with the standards and under the Rules prescribed by United States Swimming, Inc. (USA-S).

1.3 OBJECTIVES:

- A. To promote swimming within the State of Texas.
- B. To establish and coordinate championship and other competitive swimming programs.
- C. To disseminate information to TSA members.

TSA shall have jurisdiction over the educational, championship and other competitive programs it establishes and coordinates.

Article II: Membership, Delegates and Voting

2.1 MEMBERSHIP:

TSA membership shall consist of:

- The five Local swim Committees (LSCs) in the State of Texas.
- USA-S member clubs, which are registered with an LSC in the State of Texas and a member in good standing with TSA.
- Individuals who are members of USA-S and registered with TSA.

2.2 HOUSE OF DELEGATES:

The TSA House of Delegates shall consist of all delegates and members of TSA entitled to vote.

2.3 DELEGATES:

A. LSC Delegates

- 1. The General Chair of each of the five Texas LSCs.
- 2. Two at-large delegates from each of the five Texas LSCs.
- 3. Two athlete delegates from each of the five Texas LSCs.
 - a. Each athlete delegate must be an active member of one of the five Texas LSCs and at least 15 years old.

B. Club Delegates

- 1. Each TSA member club shall appoint delegates as determined by the number of regular swimmers registered with its club on September first of the current year. The number of votes is determined by the following:

| | |
|-----------------------------------|-----------------|
| One to 50 registered swimmers | Two delegates |
| 51 to 100 registered swimmers | Three delegates |
| 101 to 150 registered swimmers | Four delegates |
| More than 150 registered swimmers | Five delegates |

Three USA-S registered seasonal swimmers will count as one regular swimmer.

2. At least one appointed club delegate position as defined in 2.3.B.1, may only be voted by a current coach member of USA-S and of the TSA club represented.
4. In addition to the club delegates as defined in 2.3.2.1, each club may appoint one athlete delegate who is currently registered with the TSA club represented. This athlete must be at least 15 years of age and an active competitor in USA-S in Texas.

C. At-Large Delegates

The TSA President may appoint a maximum of six (6) at-large representatives to the House of Delegates.

2.4 VOTING:

A. Persons entitled to cast votes at the House of Delegates Meetings:

1. Each delegate to the TSA Meeting is entitled to one (1) vote. The designated club delegate to the TSA Meeting is entitled to cast the club delegate votes for delegates not in attendance as in 2.3.B.1.
2. Each TSA officer is entitled to only one vote.
3. Each standing committee chair is entitled to only one vote.
4. Each TSA Athlete Representative is entitled to only one vote.
5. Each Past President of TSA is entitled to only one vote.
6. Each At-Large delegate is entitled to only one vote.

B. Each person who is eligible to vote may cast only one vote on any given issue, even if qualified to vote in more than one capacity.

Article III: Officers

3.1 *TITLES:*

Officers of TSA are: President, First Vice President, Second Vice President, Secretary and Treasurer.

3.2 *ELECTIONS:*

Officers will be elected at the TSA Annual Meeting. No more than two (2) officers may be elected from any one LSC. No person may serve in more than one elected position at a time.

3.3 *TERM OF OFFICE:*

The term of office for each elected officer shall commence immediately following the conclusion of the Annual Meeting and continue until the conclusion of the following year's Annual Meeting. No elected officer may serve in the same office for more than four (4) consecutive terms.

3.4 *NOMINATIONS:*

The slate of officers to stand for election will be prepared by a Nominating Committee and submitted to the TSA Secretary for publication at least 30 days prior to the Annual Meeting. Additional nomination may come from the floor.

3.5 *DUTIES:*

Officers shall perform the duties prescribed by these By-Laws and by the parliamentary authority adopted by TSA.

3.6 *VACANCIES:*

- A. If the office of President becomes vacant, the order of succession shall be First Vice President, Second Vice President, Secretary, and Treasurer.
- B. If a TSA office other than that of President becomes vacant, the President shall make appointments to expeditiously fill vacancies.

Article IV: Committees

4.1 THE BOARD OF DIRECTORS:

The Board of Directors shall be chaired by the President and be composed of the TSA Officers, the two athlete representatives, the immediate past President, a coach elected at the preceding House of Delegates Meeting and the elected standing committee chairs, a quorum being a majority. The Board of Directors shall have full power and authority over the affairs of TSA between Annual Meetings.

4.2 THE EXECUTIVE COMMITTEE:

The Executive Committee shall be chaired by the President and be composed of the President, First Vice President, Texas Age Group Swimming (TAGS) Committee Chair, Texas All-Star Committee Chair and the Senior Athlete Representative, with any three (3) members constituting a quorum.

4.3 STANDING COMMITTEES:

The TSA Standing Committees are: TAGS, Texas All-Star, Texas Information.

- A. Committee Chairs: The chair for each standing committee shall be elected at the TSA Annual Meeting from nominations taken from the floor by a majority vote of the House of Delegates. No person may serve in more than one elected position at a time. The committee chair shall perform the duties prescribed by these By-Laws and by the parliamentary authority adopted by TSA. The TAGS and All-Star committee chairs shall be current USA-S registered coaches with a TSA member club.
- B. Term of office: The term of office for each committee chair shall commence immediately following the Annual Meeting and continue until the conclusion of the following year's Annual Meeting. There is no limit to the number of consecutive terms a person may serve.
- C. Committee Members:
 - 1. TAGS and All-Star: the chair, one member appointed by each of the five LSCs, two members, including at least one athlete; chosen by the chair and one member appointed by the TSA President. (Total of nine [9]).
 - 2. Texas Information: Chair, one member appointed by each of the five LSCs and up to five (5) others appointed by the chair with the advice and consent of the TSA President.
- D. Duties of each Committee:
 - 1. The TAGS Committee shall recommend the formats, time standards, sites, hosts and dates for both Short and Long Course TAGS Championship Meets. It shall present these recommendations to the House of Delegates for approval at the Annual Meeting.
 - 2. The All-Star Committee shall recommend the formats, time standards, sites, hosts and dates for the All-Star meet and present these recommendations to the House of Delegates or qualifying meets and the All-Star Meet. It shall get approval at the Annual Meeting.
 - 3. The Texas Information Committee shall be responsible for publication of the TSA Handbook annually. The TSA Handbooks should be printed in January and include the TSA Rules, Texas Swimming Records, Member LSC Meet Schedules Teams, Board of Directors and other information as directed by the House of Delegates or the Executive Board.

4.4 OTHER COMMITTEES:

- A. Nominating Committee: The chair of the Nominating Committee shall be the First Vice President. The members shall be the chair, one member from each of the five LSCs and an athlete appointed by the chair.

- B. Finance Committee: The chair of the Finance Committee shall be the second Vice President and two members from alternate LSCs as selected by the President. Together with the chair, this committee shall oversee the preparation of the annual budget for presentation to the House of Delegates at the Annual Meeting and conduct an annual audit of the organization's financial position.
- C. Ad Hoc Committee: The President may appoint Ad Hoc Committees as the need arises.

4.5 COMMITTEE RULES:

- A. A committee meeting may be called by the chair or at the request of a majority of the committee members, by giving seven (7) days notice to all committee members and the TSA President. Notices of meetings may be waived by written consent of all members. In addition, the TAGS and All-Star Committees shall schedule and publish notice of two (2) meetings each year in the Handbook.
- B. Proper notice must be given and a simple majority of the membership must be present in order to transact committee business.
- C. All decisions made by the committees shall be by majority vote of the members in attendance.
- D. Each committee shall submit its report in writing to the TSA Secretary no later than 35 days prior to the Annual Meeting. Each committee's report shall be submitted by the Secretary to the TSA Webmaster for posting on the TSA Web Site not less than 30 days prior to the Annual Meeting.
- E. All recommendations presented by a Standing Committee to the House of Delegates with a 30 day notice are binding on the TSA Membership unless two-thirds of the House of Delegates votes to reconsider a committee recommendation. A reconsidered recommendation may be acted on by a majority vote of the House of Delegates.
- F. All Standing Committee recommendations submitted to the House of Delegates, but are not posted on the TSA Web Site with a 30 day or more notice prior to the Annual Meeting, require a two-thirds vote of the House of Delegates for adoption.

Article V: Meetings

5.1 ANNUAL MEETING:

An Annual Meeting of the TSA House of Delegates shall be held within two weeks after the conclusion of the United State Aquatic Sports Convention. The exact date shall be selected by the President of TSA. The site of the Annual Meeting shall rotate between Houston, Austin, Dallas, El Paso and San Antonio in that order commencing in 1994.

5.2 OTHER MEETINGS:

Other meetings may be called by the TSA President where and when deemed necessary. A meeting of the House of Delegates may be called by the TSA President with the approval of the Board of Directors.

5.3 NOTICES:

The notice of the Annual Meeting shall contain the time, date, site and committee reports. This information shall be made available on the TSA Web Site not less than 30 days prior to the Annual Meeting.

5.4 *MEETING ORDER OF BUSINESS:*

All meetings of TSA shall follow this Order of Business:

- A. Roll call of the delegates
- B. Reading, correction and approval of minutes
- C. Reports of the Officers
- D. Reports of the Athlete Representatives
- E. Committee Reports
- F. Unfinished business
- G. New Business
- H. Resolutions and orders
- I. Elections
- J. Adjournment

5.5 *QUORUM:*

At all meetings of the TSA House of Delegates, a quorum shall consist of 25% of the votes registered at the beginning of the meeting.

5.6 *RULES OF ORDER:*

The Rules contained in the current edition of Robert's Rules of Order, Newly Revised; shall govern the TSA in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order TSA may adopt.

Article VI: Fees, Dues and Fines

6.1 *DUES:*

The TSA annual membership shall commence on the first day of the Annual Meeting and continue until the first day of the next Annual Meeting.

- A. Each TSA member club, individual member and voting delegate who attends the Annual Meeting shall remit their annual dues to the Treasurer on or before the first day of the annual Meeting in order to be eligible to vote at the meeting. The House of Delegates shall determine the dues to be paid.
- B. Dues shall be \$40.00 per LSC and clubs, which is two (2) voting delegates. Individual dues shall be \$20.00
- C. To be eligible to participate in any TSA sponsored competition, an athlete must be currently registered with a TSA member club or registered unattached within their LSC. A club may join TSA at any time during the year by remitting its dues to a TSA officer or her / his designee.

6.2 *USE OF FUNDS:*

The funds from all sources shall be devoted to defraying the costs of operations and other expenses incurred by TSA and its committees.

6.3 *FISCAL YEAR:*

The TSA fiscal year shall extend from January 1st through December 31st each year.

6.4 *FINES:*

Monies collected from fines levied by TSA shall be placed in the General Fund for use by TSA.

Article VII: Disciplinary Proceedings

7.1:

Any club, coach, athlete or individual may be disciplined, with cause, for misconduct while participating in any TSA activity only by a vote of two-thirds of the Board of Directors present and voting at a meeting called for such purposes. This meeting shall be held within 60 days upon request by at least a majority of only the Board of Directors or by petition to the TSA Secretary by at least one-fourth of the member clubs. Written notice shall be sent by Certified Mail, return receipt requested, to the affected party at least 30 days prior to the meeting stating time, place, purpose and cause of such a meeting. The decision shall be rendered at the time of the hearing, or within 24 hours thereafter. Notice of appeal shall be made, in writing by Certified Mail, return receipt requested, to the TSA President within 10 days of the Board's decision.

Upon receipt of notice, the TSA President shall refer the appeal to a committee consisting of the five LSC General Chairs or their respective designees who will hear the appeal within 30 days of receipt of a notice. A written decision of this committee shall be sent by Certified Mail, return receipt requested, to the affected party and the TSA President and shall be final. Any issue that is defined as being within the jurisdiction of Article 401, Hearings and Appeals, of the current USA-S Rules and Regulations shall be dealt with by that Corporation.

Article VIII: Indemnification

8.1:

Each person who is or was an officer or committee member of TSA (including heirs, executors, administrators or estate of such person) shall be indemnified by TSA to the full extent permitted by law against any liability, cost or expense incurred by her / him in her / his capacity as an officer or committee member arising out of her / his status as such officer or committee member.

Article IX: Amendments

9.1 TO THE CONSTITUTION AND BY-LAWS:

No amendment can be made to the TSA Constitution and By-Laws except by a two-thirds voted of the voting delegates at the Annual Meeting. Any proposed amendments must be submitted to the TSA membership at least 30 days prior to the Annual Meeting.

X: Dissolution

10.1 *DISSOLUTION:*

Upon the dissolution of TSA, its net assets will be distributed to each of the five Texas LSCs which is then a member of TSA and a member of USA-S or its successor organization. The distribution of the net assets shall be calculated and pro-rated equally on the basis of the number of swimmers then registered in each of the LSCs.