Bylaws of the
Gulf Masters Swimming Committee (GMSC)

ARTICLE I

PURPOSE, BOUNDARY, JURISDICTION

Purpose -- The purpose of the Gulf Masters Swimming Committee (GMSC, Gulf Local Masters Swimming Committee or Gulf LMSC) shall be to promote fitness and health in adults by offering and supporting the development of the sport of swimming for the benefit of adult swimmers of all ages and abilities in accordance with the standards and under the rules prescribed by United States Masters Swimming, Inc. (USMS) and the Gulf Masters Swimming Committee (Gulf LMSC). These purposes are exclusively charitable and educational within the meaning of section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code.

Boundary -- The boundary and designation of the Gulf LMSC shall be the part of the State of Texas bounded on the North by and including the counties of Robertson, Leon, Houston, Angelina, Nacogdoches, and Shelby; on the East by the State of Louisiana; on the South by the Gulf of Mexico, and on the West by and including the counties of Fort Bend, Wharton, Colorado, Waller, Grimes, Robertson, Brazos, and Matagorda.

Jurisdiction -- The Gulf LMSC has jurisdiction over the sport of Masters Swimming as has been delegated to it by USMS.

ARTICLE II

MEMBERSHIP

Membership Categories -- The membership shall consist of the following:

1. Club Members -- Those organizations which have joined and are in good standing as members of the Gulf LMSC and who have athletes registered to represent said organization in the sport of Masters Swimming. The annual registration application for a club can be obtained through the Gulf LMSC Registrar or Gulf LMSC web site. To register, a club must meet the following conditions:

    a. Meet the definition of a Club according to the Rules of USMS.

    b. Have at least one member registered in the Gulf LMSC.

    c. Provide the Gulf LMSC Registrar a valid, ~~available, and~~ active e-mail address upon application. This e-mail address does not have to be that of the official Club representative; however, the owner of said e-mail address has the responsibility of communicating in a timely manner any transmitted information to the official representative who will share this information with his/her club.

    d. Club membership may be revoked if these conditions are not upheld.

2. Individual Members -- Those individuals who are athletes, coaches, officials, administrators, or persons otherwise interested in the purposes and programs of the Gulf LMSC and eligible under

USMS standards. On joining USMS, these individuals will receive a membership card certifying their membership and may attend all meetings of the Gulf LMSC with voice but no vote.

RESPONSIBILITIES

Membership Responsibilities -- Member clubs shall bear the following responsibilities:

1. Income -- Any income derived from the promotion of Masters Swimming by members of GMSC must be used for further promotion of swimming or for the general welfare of the Gulf LMSC or USMS as a whole.

2. Infractions -- A member club may be held responsible for infractions of rules and regulations committed by an athlete who is competing as a representative of such organization.

ARTICLE III

HOUSE OF DELEGATES

Membership -- The House of Delegates (HOD) of the Gulf LMSC shall consist of the following:

1. Club Representatives -- Each registered member club is entitled to one representative to the Gulf LMSC House of Delegates. If the club has over 50 swimmers registered as members of that club, it is entitled to a second representative; and if over 100 swimmers registered, it is entitled to a third representative.

   Each member club shall appoint a representative to the Gulf LMSC. Such appointment shall be in writing and signed by the executive officer or secretary of the appointing club. The appointing club may withdraw its representative and substitute a new representative by written notice, addressed to the Gulf LMSC and signed by the club's chief executive or secretary.

2. Elected Officers of the GMSC (see **Positions** in Article IV).

3. Chairs of the Gulf LMSC standing Committees.

4. At-large Members -- A maximum of five (5) at-large members may be appointed by the president with the concurrence of the officers.

Term of service -- Elected officers, standing committee chairs and at-large members serve for two years, or until their successor is appointed or elected. Each member shall have one vote.

Powers -- The management of the business affairs of the Gulf LMSC is the responsibility of the House of Delegates. In addition to the duties and powers prescribed in the Rules of USMS or in these Bylaws, the powers of the House of Delegates shall be the following:

1. To admit to membership any eligible club or individual applicant.

2. To amend the Bylaws of the Gulf LMSC.

3. To establish, amend, or revoke policies and rules of the Gulf LMSC.

4. To impose and enforce penalties for any violation of the Rules of USMS or the Gulf LMSC.

5. To collect dues and/or funds of the Gulf LMSC and to expend the same in accordance with the objectives of the Gulf LMSC.

6. To elect officers of the Gulf LMSC.

7. To elect representatives to the USMS, Inc. House of Delegates.

8. To review and adopt the annual budget of the Gulf LMSC and to approve any major expenditure not included in the budget.

9. To schedule and issue sanctions or recognitions for competitions or events held within the boundary of the Gulf LMSC.

Meetings -- The annual meeting of the Gulf LMSC House of Delegates shall be held between October 1st and December 31st of each year. A regular or special meeting of the House of Delegates may be called by the president or with the concurrence of any two officers or one-third of the members of the HOD.

1. Notices:

    a. Time -- Not less than fifteen (15) days notice shall be given by the secretary for any annual or special meeting of the Gulf LMSC House of Delegates and the Board of Directors. The 15-day requirement may be waived in writing by a majority of those eligible to vote at such meetings.

    b. Information -- The notice of the meeting shall contain the time, date and location. For special meetings, the purpose of such meetings shall be given.

    c. Notice -- The notice of the meeting shall be posted on the Gulf LMSC website and sent to the most recent e-mail address on record of each Gulf LMSC registered club and the members of the HOD.

2. Order of Business -- At all meetings of the Gulf LMSC House of Delegates the order of business shall be the following:

    a. Roll call

    b. Reading, correction and adoption of minutes

    c. Reports of officers

    d. Reports of committees

    e. Unfinished business

    f. Elections where appropriate

    g. New business

    h. Resolution and orders

    i. Adjournment

3. Quorum -- A quorum at all meetings shall consist of those present and eligible to vote.

4. Rules of Order -- At all meetings, the current Roberts Rules of Order are the procedural rules.

BOARD OF DIRECTORS

Members -- The Board of Directors shall consist of the elected officers and the chairs of the standing committees.

Duties and Powers -- The Board of Directors shall act for the Gulf LMSC and the House of Delegates during the intervals between its meetings. The actions of the Board of Directors shall be subject to approval and ratification of the House of Delegates. The Board shall have the following powers and duties:

1. To establish programs and policies, and to lend direction thereto.

2. To prepare and review the annual budget.

Quorum -- The presence of a majority of the Directors shall constitute a quorum at any meeting of the Board of Directors.

ARTICLE IV

OFFICERS

Positions -- The elected officers shall be president, vice-president, treasurer, secretary and registrar.

Eligibility -- Only current members of USMS registered with the Gulf LMSC shall be eligible to hold office.

Nominations -- A nominating committee consisting of a minimum of three Gulf LMSC members shall be appointed by the president. This committee shall prepare a slate of officers to stand for election. The slate of nominees shall be included in the advance notice of the annual meeting. Additional nominations shall be accepted from the floor.

Elections and Term of Office -- The officers shall be elected at the annual business meeting in even numbered years by a majority of all voting representatives present. Each officer shall serve for a term of two years or until his or her successor is chosen. No person may serve more than two consecutive terms in the same office. When a suitable replacement cannot be found, an officer may continue to serve with the concurrence of the majority of the House of Delegates.

If a duly elected officer is unable to serve out his or her term, the president shall appoint a replacement to serve out the un-expired term, subject to approval by the House of Delegates at their next meeting.

Duties of Officers -- The duties of the officers shall include, but are not limited to, the following:

1. President -- The president shall call meetings of the Gulf LMSC when and where deemed necessary and preside at these meetings. With the advice and consent of the Board of Directors, the president shall appoint committee chairmen and form special committees as deemed necessary.

2. Vice-president -- The vice-president shall perform as the president in the absence or disability of the president and shall perform such duties as the president may direct.

3. Secretary -- The secretary shall be responsible for keeping a record of all meetings, conducting official correspondence, issuing meeting notices and copies of the minutes to the members of the House of Delegates, and making such reports to the USMS national office as required. The secretary shall forward the minutes of the annual meeting to the USMS national office within four months of the end of the Gulf LMSC fiscal year.

4. Treasurer -- The treasurer shall receive and deposit all the monies to the accounts of the Gulf LMSC and shall pay all bills approved by the Board of Directors. The treasurer is responsible for maintaining all financial records, and for making timely reports to the Board of Directors and the House of Delegates. The treasurer shall prepare the Gulf LMSC's annual financial report and forward a copy of the report to the USMS National Office within four months of the end of the Gulf LMSC fiscal year. The treasurer shall file the appropriate 990 tax form with the IRS annually. The Board of Directors shall appoint a USMS member, other than the Treasurer, to reconcile the bank statements, at least quarterly.

5. Registrar -- The registrar may name a committee as desired or needed. The registrar shall register all eligible applicants for membership in the Gulf LMSC and shall be responsible for maintaining registration records and making timely reports to USMS and the Gulf LMSC Board of Directors and House of Delegates. The Registrar shall communicate with the Gulf LMSC webmaster to keep Club registration forms and contact information up-to-date.

ARTICLE V

STANDING COMMITTEES

Titles -- The standing committees shall include the following: Sanctions, Coaches, Officials, Tabulations/Top Ten Recorder and Communications/Webmaster.

Duties of the committees --The Gulf LMSC president shall appoint chairs to the following standing committees and shall charge each committee with its duties.

1. Sanctions --The sanction chair may name a committee as desired or needed. The sanctions chair evaluates sanction and recognition applications~~, collects fees,~~ and, with the concurrence of the Board of Directors, issues approvals for sanctions and recognitions. The sanction chair shall also keep a record of the pool measurement certificates for all pools within the Gulf LMSC boundaries and submit new forms for inclusion in the USMS national database. Records shall be kept of all pool certifications, sanctions and recognitions issued within the Gulf LMSC territory as specified by USMS.

2. Coaches --The coaches chair may name a committee as desired or needed. The coaches chair shall receive communications from the USMS coaches committee and distribute that information to coaches within the Gulf LMSC. The coaches chair shall also facilitate communication among the coaches within the Gulf LMSC and serve as a resource for information regarding swimming and training. The coaches chair shall oversee the application process ~~and selection of recipients of~~ for coaches professional development funds, and, with the concurrence of the Board of Directors, approves applications for these funds.

3. Officials -- The officials chair may name a committee as desired or needed. The officials chair is responsible for implementing policies and procedures to ensure that USMS sanctioned and recognized meets within the Gulf LMSC boundaries are conducted uniformly and in accordance with the Rules of USMS. The officials chair shall maintain a list of certified officials willing to work USMS sanctioned and recognized meets. The officials chair shall provide regular updates on USMS rules changes and interpretations and work with meet directors in obtaining qualified officials.

4. Tabulations/Top 10 Recorder --The top ten recorder may name a tabulations committee as desired or needed. The top 10 recorder shall process results of meets held within the Gulf LMSC boundaries. The recorder shall upload meet results to the USMS meet results database and work with Gulf LMSC meet directors to ensure that record applications are submitted appropriately. The top 10 recorder shall compile and report individual top ten times for each course (SCY, LCM,

SCM) from all sanctioned Gulf LMSC meets and all received recognized meets, by the deadlines, in the proper format, as described in the USMS Guide to Operations (GTO).

5. Communications/Webmaster -- The communications chair may name a committee as desired or needed. The communications chair shall ensure that the Gulf LMSC website is maintained and updated in a timely manner.

ARTICLE VI

GRIEVANCE PROCEDURE

Grievances -- Any individual member and/or any club member of the Gulf LMSC may bring a complaint on any matter concerning member rights and standards of conduct for which grievances may be heard as expressed in the Rules of USMS under Article 402.

Filing a grievance -- A concise statement of the complaint shall be filed with the Gulf LMSC president or a designated grievance chair.

Mediation or Resolution -- If the grievance chair determines the complaint involves issues for which a complaint may be brought under Article 402, all involved parties will be given the opportunity to make a written statement and the grievance chair shall attempt to resolve the controversy by mediation.

Hearing procedure -- If no agreement can be reached, the grievance chair shall convene a hearing panel of three Gulf LMSC members to resolve the controversy. The hearing panel shall, by majority vote, resolve the controversy in the form of a written decision. Upon rendering of a final decision, the grievance chair shall notify all parties in writing of their right to appeal to the National Board of Review,

Note: Further details concerning this grievance procedure are found in the Gulf LMSC policy manual.

ARTICLE VII

INDEMNIFICATION

Each person who is or was a director, officer or employee of the Gulf LMSC (including the heirs, executors, administrators or estate of such person) shall be indemnified by the Gulf LMSC as a division of USMS to the full extent permitted by the Nonprofit Corporation Law of the State of Ohio against any liability, cost or expense incurred in the capacity as director, officer or employee, or arising out of the status as a director, officer or employee (including serving at the request of the Gulf LMSC as a director, trustee, officer, employee or agent of another not-for-profit organization).

ARTICLE VIII

AMENDMENTS TO BYLAWS

Any provision of these Bylaws not proscribed by the Rules of USMS may be amended at any meeting of the House of Delegates by a two-thirds vote of the members voting. At least fifteen (15) days notice of any proposed amendments shall be given to members of the House of Delegates by posting the amendments on the Gulf LMSC website and sending notice through e-mail.

ARTICLE IX

DISSOLUTION

Upon dissolution, the net assets of the Gulf LMSC shall not inure to the benefit of any private individual or corporation, but will be distributed to USMS, Inc. to be used exclusively for educational or charitable purposes. If at the time of dissolution, the named organization a) ceases to exist, b) does not accept the distribution, c) is not exempt under 501(c) (3) at the time of the dissolution, the assets shall be distributed exclusively for the purposes set out in Article I and to organizations organized and operated exclusively for such purposes and which are exempt from federal income taxation under section 501 (c) (3) of the Internal Revenue Code or corresponding section of any future federal tax code, to be used exclusively for educational or charitable purposes.

Revised 10/08/01
Revised 01/04/12

In Word by Kevin M. Lunsford on 1/16/2016