

PART FIVE

APPENDIX A

BY-LAWS OF THE LOCAL ARTISTIC SWIMMING COMMITTEE

The following By-Laws must be adopted by every Local Artistic Swimming Committee (“LASC”) which desires to be affiliated with the Corporation. Additional provisions may be added to the By-Laws, but they may not contradict the basic document set forth below. There are a few instances wherein the flexibility is indicated in what is set forth below.

ARTICLE 1

OBJECTIVES, TERRITORY AND JURISDICTION

- 1.01 Objectives:** The objectives shall be to promote and develop artistic swimming, including the education and teaching of athletes of all ages to improve their capabilities, all in accordance with the standards and under the rules prescribed by World Aquatics (“AQUA”, formerly known as the Federation Internationale de Natation “FINA”), USA Artistic Swimming, Inc. (“USAAS”), and the following rules. The LASC shall be operated exclusively within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954, as amended (or corresponding provisions of any future United States Internal Revenue Law).
- 1.02 Territory:** The territory of the LASC shall be the geographical boundaries determined by USAAS and set forth in Section 6.03 of the [USAAS Code](#).
- 1.03 Jurisdiction:** The LASC has jurisdiction over the sport of artistic swimming in its territory in accordance with [USAAS Rules](#).
- 1.04 Conditions of Competition:**
- A. **General:** The conditions of competition of any artistic swimming event, and rules governing it, shall be those established by USAAS or by the LASC where its rules and regulations are not contrary to USAAS Rules.
 - B. **Championships:** Artistic Swimming Championships shall be held in accordance with the USAAS Rules for conduct of Championships as described in the USAAS Rules. Other events may be held within the program of the LASC for the development of the sport.

ARTICLE 2

MEMBERSHIP

- 2.01 Membership** in the LASC shall be open to groups, athletes and individuals who are not athletes, as set forth in Article 1 of the USAAS Code.
- 2.02 Fees:** The cost of each category of membership shall be determined by USAAS. The LASC Board of Governors may add a surcharge to all membership fees.

ARTICLE 3

LASC BOARD OF GOVERNORS

- 3.01 Composition:** The LASC Board of Governors shall consist of one (1) representative from each group member of the LASC, the elected Officers of the LASC, a representative of the coaches in the LASC, and representatives of the athletes which shall equal at least thirty-three and three tenths percent (33.3%) of the total number of members of the LASC Board of Governors (including athletes), and such other individuals that the LASC may desire.
- 3.02 Authority:** In addition to the duties and powers prescribed in the USAAS Code or in these By-Laws, the LASC Board of Governors shall have power:
- A. To elect the Officers of the LASC;
 - B. To establish program and policy and to lend direction thereto;
 - C. To establish the LASC Review Board;
 - D. To review and adopt the annual budget of the LASC;
 - E. To appoint alternate delegates to the USAAS Board of Governors, in accordance with Article 2 of the USAAS Code;
 - F. To amend the By-Laws of the LASC (within limits prescribed by this Appendix A).
- 3.03 Meetings:** The Annual Meeting of the LASC shall be held no later than November 1st of each year. Additional meetings may be called by the Administrative Chair or upon request of any three (3) LASC group members.
- 3.04 Notice:** The Secretary/Treasurer shall give not less than fifteen (15) days' notice for any LASC Board of Governors meeting. The notice shall contain the time, date and site of the meeting and, except at the Annual Meeting of the LASC, its purpose. The notice shall be sent to the address last given to the Secretary/Treasurer by each group member of the LASC.
- 3.05 Quorum:** A quorum at all meetings shall consist of those present and eligible to vote.
- 3.06 Rules of Order:** At all meetings, the current *Robert's Rules of Order* are the procedural rules.

ARTICLE 4

LASC BOARD OF DIRECTORS

- 4.01 Composition:** The LASC Board of Directors shall consist of the elected Officers and representatives of the athletes which shall equal at least thirty-three and three tenths percent (33.3%) of the total number of members of the LASC Board of Directors (including athletes), and such other individuals that the LASC may desire. Directors shall hold office for two (2) years, or until their successors are elected.
- 4.02 Duties and Powers:** The LASC Board of Directors shall have the authority to act for the LASC between meetings of the LASC Board of Governors.
- 4.03 Meetings:** Meetings may be called by the Chair or any three (3) LASC Directors.
- 4.04 Notice:** At least fifteen (15) days' notice shall be given by the Secretary/Treasurer for any meeting of the LASC Board of Directors. Such notice shall contain the time, date and site of the meeting, and shall be sent to the address last given to the Secretary/Treasurer of each member of the LASC Board of Directors.

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

ARTICLE 5

OFFICERS

5.01 Titles: The LASC Board of Governors shall elect the following Officers at the Annual Meeting of the LASC in even numbered years: Administrative Chair and Secretary/Treasurer. The Athletes Representative Chair shall be elected by the athletes in accordance with Section 7.01 A of the USAAS Code. The Administrative Chair shall chair the LASC Board of Governors and the LASC Board of Directors.

5.02 Eligibility: Only current individual members of USAAS are eligible to hold office.

5.03 Term of Office: The term of each office shall be two (2) years or until the successor is chosen, and shall begin immediately following the Annual Meeting of the LASC, in the year of their election. Officers may be reelected to a second term, but may serve no more than four (4) consecutive years in any one (1) office.

- An Officer who is replaced or who has reached their maximum term limit must wait as many consecutive years as have been served consecutively, with a maximum of two (2) years off the LASC Board of Directors before being eligible for reelection to the same office. In the event an Officer is elected to fulfill a remainder of a term of office, which has been vacated, this election shall not count towards the two (2) years of eligibility. This Officer shall have two (2) full terms of eligibility remaining.

5.04 Vacancies: Any vacancies that may occur in the LASC Board of Directors caused by death, resignation, or otherwise, shall be filled for the duration of the term by the group responsible for electing the position initially. In the case of the elected Officers, the LASC Board of Directors may fill a vacancy until the next meeting of the LASC Board of Governors, at which time an election shall be held.

5.05 Nominating Committee: The slate of Officers to stand for election by the LASC Board of Governors shall be prepared by a Nominating Committee, with a minimum of three (3) serving. The Nominating Committee shall be selected by the LASC Board of Governors at the Annual Meeting of the LASC in the year prior to the elections for Officers. Nominations shall be published fifteen (15) days in advance of the election, and additional nominations may come from the floor.

5.06 Elections: Candidates for office should be consenting and need not be present to be elected.

5.07 Duties: The duties of the Officers are as hereafter set forth, and such others as may be designated by the LASC Board of Governors or LASC Board of Directors:

A. Administrative Chair:

1. To represent the LASC on the USAAS and Zone Artistic Swimming Committee ("Zone") Board of Governors.
2. To oversee the administrative needs of the LASC.
3. To supervise sanctions, and financial and annual reports.

B. Secretary/Treasurer:

1. To represent the LASC on the Zone Board of Governors.
2. To record the minutes of all meetings of the LASC and the LASC Board of Directors.
3. To be the custodian of the funds of the LASC.

4. To receive and disburse funds in accordance with the directions of the LASC.
5. To maintain the membership list of the LASC.
6. To maintain records of athlete eligibility.
7. To send notice of meetings as mandated by the By-Laws or other mailings as instructed by the LASC.
8. To prepare the financial records and reports as required by the LASC and USAAS.
9. To forward to the USAAS Executive Director (“Executive Director”) such reports as required by USAAS.
 - **Exception:** An LASC may choose to separate the Secretary/Treasurer duties as appropriate.

C. Athletes Representative Chair:

1. To represent the LASC on the USAAS Athletes Committee and the Zone Board of Governors.
2. To serve as Chair of all LASC Athlete meetings.
3. To assure communication among athletes both within the LASC and within USAAS.

5.08 Additional LASC Chairs: If the LASC so desires, additional Chairs may be appointed/elected/combined to accomplish the following duties and such others as may be designated by the LASC Board of Governors or LASC Board of Directors.

A. Diversity, Equity and Inclusion Chair:

1. To coordinate the programs of the LASC aimed at increasing diversity, equity and inclusion at all levels of the LASC.
2. To assist the National Office staff in implementing programs to increase membership of the underrepresented populations in the LASC.

B. Education Chair:

1. To oversee the development of all artistic swimming programs (Senior, Junior, Junior Olympic, Collegiate, and Masters) in the LASC.
2. To oversee the development and training of athletes, including organizing training camps for athletes and coaches.
3. To maintain records of coaches’ certification.
4. To provide information to assist in the formation of new clubs.

C. Officials Chair:

1. To train, test and evaluate officials at the local level.
2. To determine the panels for officiating at the LASC competitions.
3. To maintain records of officials’ certification and ratings.
4. Where possible, the LASC Officials Chair shall hold a judges’ rating of Retaining Level 2, Association and Junior Olympic Regional Judge or higher.

D. Technical Chair:

1. To oversee the technical conduct of all association competitions, including scoring, sound, and equipment.
2. To interpret rules, waive rules and act as the Meet Referee in association competitions until the Event Referees are selected.

ARTICLE 6

REPORTS AND REMITTANCES

- 6.01 Minutes:** The Secretary/Treasurer of the LASC shall, within ten (10) days after each meeting of the LASC, forward to the Executive Director and the applicable Zone Chair a copy of the minutes of said meeting.
- 6.02 Notices:** The Secretary/Treasurer shall forward to the Executive Director and the applicable Zone Chair copies of all official notices issued by the LASC, at the time of such issue, including all those sent to the members of the LASC Board of Governors and to the LASC Board of Directors, as well as to members of the LASC.
- 6.03 Annual Reports:** The Secretary/Treasurer shall, within one hundred and twenty (120) days of the end of the fiscal year, forward to the Executive Director and the applicable Zone Chair a copy of the audit of the accounts of the LASC. The audit of accounts is to be signed by either a certified public accountant, or at least three (3) members of the LASC Board of Directors. The Secretary/Treasurer shall forward to the Executive Director a copy of the Form 990 when filed.
- 6.04 General:** The LASC shall make such other reports and remittances to USAAS as specified in its Code or by the USAAS Board of Directors. The Administrative Chair and Secretary/Treasurer are responsible for seeing that all required reports and remittances are made.
- 6.05 Income:** Any income derived from the promotion of artistic swimming by members of USAAS must be used for the further promotion of artistic swimming for the general welfare of the LASC as a whole.

ARTICLE 7

DISCIPLINE, LASC REVIEW BOARD, HEARINGS AND APPEALS

- 7.01 Discipline:** The LASC Review Board may censure, suspend for a definite or indefinite period of time, or expel from participating in the activities of the LASC, or impose other appropriate sanctions upon any member of the LASC, including any athlete, coach, trainer, manager, administrator, official, member of any committee, or person participating in any capacity whatsoever in the affairs of the LASC, subject to a hearing before a panel of a LASC Review Board, who has acted contrary to any of the Rules of USAAS or the LASC, or who has acted in a manner which brings disrepute upon USAAS, the LASC, or upon the sport of artistic swimming.
- A. A group member may be held responsible for infractions of rules and regulations committed by an athlete who is representing the group member.
 - B. The LASC Review Board may recommend to the USAAS Ethics Committee that a person's membership in USAAS be suspended or revoked, but the LASC Review Board shall have no authority to suspend or revoke such membership.
 1. A recommendation to the USAAS Ethics Committee regarding suspension or revocation of membership in the USAAS Corporation must be filed with the Executive Director within five (5) business days following the final decision of the LASC Review Board. Refer to [USAAS Grievance Procedures](#) (Appendix K).
- 7.02 LASC Review Board:** The LASC Board of Governors shall annually elect an LASC Review Board comprised of no less than five (5) members, including that number of Athlete Representatives necessary to assure that at least thirty-three and three tenths percent (33.3%) of the LASC Review Board are athletes. Its hearings may be conducted by an attorney-at-law retained by the LASC Review Board for that purpose but who shall have no vote. The Chair

of the LASC Review Board shall be appointed by the Administrative Chair and have one (1) vote. A quorum for any hearing conducted by the LASC Review Board shall be fifty percent (50%) of its membership, but in any event no less than three (3), one of whom shall be an Athlete Representative.

7.03 Jurisdiction of the LASC Review Board: The LASC Review Board may conduct hearings on any matter affecting, with the exception of violations of [USAAS's Code of Ethics](#) (Appendix P) or [Whistleblower and Anti-Retaliation Policy](#) (Appendix S), the LASC and involving only a member or members of the LASC. Refer to [USAAS Administrative Rules, Article 24, Section 24.02](#).

7.04 Procedures of the LASC Review Board:

- A. The filing and resolution of any grievance shall follow the procedures in Appendix K.
 - 1. Any grievance may be filed with the Executive Director and USAAS President. When the LASC Administrative Chair and Executive Director determine that a grievance cannot be fairly adjudicated at the LASC level, it shall be forwarded to the Zone Review Board or Executive Director for resolution.

7.05 Appeals: The decision of the LASC Review Board shall be final in all cases, subject only to appeal by a real party in interest to the National Board of Review, except where the LASC Review Board recommends to the USAAS Ethics Committee suspension or revocation of a person's membership in USAAS. Refer to USAAS Administrative Rules, Article 24, Sections 24.02 A and B.

ARTICLE 8

MISCELLANEOUS

8.01 Amendments: Any provisions of these LASC By-Laws not required by USAAS pursuant to Section 6.02 of the USAAS Code may be amended at any meeting of the LASC Board of Governors by a two-thirds (2/3) vote of the members voting. At least thirty (30) days' notice must be given to every member of the LASC Board of Governors of this proposed amendment.

8.02 Fiscal Period: The fiscal period of the LASC shall begin on the first day of October in each year.

8.03 Mailing Address: The LASC must submit a permanent mailing address to the Executive Director.

8.04 Dissolution: Upon dissolution, the net assets of the LASC shall not inure to benefit any private individual or corporation, but shall be distributed to USAAS, to be used exclusively for charitable purposes, or if USAAS is not then in existence, or is not then a corporation which is exempt under 501(c)(3) of the Internal Revenue Code and to which contributions, bequests and gifts are deductible under Sections 170(c)(2), 2055(a)(2), and 2522(a)(2), thereof, or any successor law, such assets shall be distributed to such a corporation, to be used exclusively for charitable purposes.