



1 Olympic Plaza
Colorado Springs, CO
80909-5770

o 719.866.4578
f 719.866.4669

usaswimming.org

Bruce W. Stratton
398 S. 9th Street, Suite 290
Boise, ID 83702-6066

o 208-336.4953
f 208-342.8962

bruce@strattoncpa.com

September 24, 2009

To: LSC Permanent Offices
LSC General Chairs

Re: Legislation Passed by the House of Delegates

Attached for your information is a summary of the actions taken by USA Swimming House of Delegates during its meeting on September 19, 2009, along with the actual legislation in its final form. Included as part of this packet is also a copy of the amendments made by the Rules & Regulations Committee to Articles 102.9, 202.4.4, 202.5.3 and 205.10.1 regarding swimwear.

A few of the more significant changes, especially as they relate to LSCs, are as follows:

1. Article 102.9 was amended by the Rules & Regulations Committee to conform our rules to the new FINA rules regarding swimwear. Additional conforming changes were made to Articles 202.4.4, 202.5.3 and 205.1.1. The House of Delegates subsequently made the changes effective October 1, 2009, and included provisions relating to modesty/support type swimwear and exemptions for religious/medical reasons. (R-10, R-13, R-14 and HK-1)
2. The meet announcement for sanctioned or approved competition must include a statement about the depth of the water at the start and turn ends of the pool. This is effective January 1, 2010. (R-22)
3. Approvals for competition (as opposed to a sanction) may no longer be issued to a USA Swimming member club unless it is for a closed competition or unless the specific competition has been approved in advance by the USA Swimming Program Operations Vice President or his/her designee. This is effective January 1, 2010. (R-23)
4. LSCs may not impose requirements for either Club Membership or Individual Membership in addition to those set forth in Article 502. However, an LSC may require proof of birth date prior to competition in age classified events. (R-33)

The Rules & Regulations Committee also re-affirmed its position that LSCs are not allowed to make modifications to Part One of our Rulebook and, accordingly, no additional swimsuit restrictions may be imposed by LSCs.

If you have any questions regarding this, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bruce W. Stratton', written over a white background.

Bruce W. Stratton
Chair, Rules and Regulations Committee

USA SWIMMING
RULES & REGULATIONS COMMITTEE

ACTIONS TAKEN ON
2009 PROPOSED AMENDMENTS
TO USA SWIMMING RULES & REGULATIONS

B	<i>Description</i>	Location	Action
R-1	Composition of Meet Committee	Glossary	Approved
R-2	Definition of open water terms: abandonment, escorted swim, unescorted swim	OW Glossary	Approved
R-3	Eliminate the references to gun and discontinue use of the starters pistol in USA Swimming	101.1.1 102.16.1 103.15	Approved
R-4	Correct an inconsistency regarding false starts	101.1.3A	Approved
R-5	Change wording on breaststroke to correspond to the way it is currently officiated	101.2.2 101.2.3	Defeated
R-6	Clarification regarding the use of automatic relay take-off judging	101.7.3B	Defeated
R-7	Clarify seeding when lanes are numbered left to right	102.5.3	Defeated
R-8	Remove requirement for empty lane between different genders or age groups	102.8.2	Defeated
R-9A-1	Extend swimwear restriction to all swimmers at all meets below the level of USA Swimming Championships; additional coverage restrictions; apply restrictions to approved meets and observed swims	102.9.1A 202.4 202.5	Withdrawn
R-9A-2	Extend swimwear restriction to all swimmers at all meets below the level of USA Swimming Championships; additional coverage restrictions; do not apply restrictions to approved meets and observed swims	102.9.1A 202.4 202.5	Withdrawn
R-9B	Extend swimwear restriction to all competition below the level of LSC Championships; additional coverage restrictions	102.9.1A	Withdrawn
R-9C	Extend swimwear restriction to 14 & under age group defined competition; additional coverage restrictions	102.9.1A	Withdrawn
R-10	Change effective date of swimwear amendment	102.9	Approved
R-11	Create new section regarding approval and availability of swimwear & include in approved meet and observed swims requirements	102.9 202.4 202.5	Withdrawn
R-12	Bring USA Swimming rules into compliance with FINA regarding wearing only one swimsuit at a time; include provision for approved meets and observed swims	102.9 202.4 202.5	Withdrawn
R-13	Allow modesty wear for age group swimmers	102.9 205.10 (new)	Approved
R-14	Add provision for exemption due to religious/medical reasons	102.9.1B	Approved
R-15	Clarification of "teaching racing starts"	103.2.2	Approved/Amended
R-16	Allow LSCs flexibility regarding placement of backstroke flags	103.14.2	Defeated
R-17	Allowing personal assistants for swimmers with a disability	105.1.3	Approved
R-18	To require advance notice to the meet host of the need for a recall rope	105.3.1	Approved
R-19	Provide for necessary modification for swimmers with no leg function	105.5.3	Approved
R-20	Remove a sentence that causes a great deal of confusion about closed competition and sanctions	202.1	Approved

R-21	Clarify allowing foreign swimmers, coaches and officials to participate in sanctioned competition	202.3.1-202.3.3	Approved
R-22	Require meet announcement to include information about water depth	202.3 202.4	Approved
R-23	Impose criteria for member clubs hosting approved meets	202.4	Approved
R-24	Include section on determination of official time as requirement for approval	202.4.4	Approved
R-25	Make Rule Book consistent with actual practice regarding observed swims	202.5	Approved
R-26	Clarify that LSCs or clubs cannot prohibit the transfer of an athlete from one club or LSC to another	203.5	Approved
R-27A	Move entry fee amounts for USA Swimming Championships to Policy Manual	207.9.3	Approved
R-27B	Raise the entry fees for USA Swimming Championships	207.9.3	Withdrawn
R-28	Delete references to entry blanks and electronic entries	207.10.1	Approved
R-29	Allow entries to be updated until the entry deadline; delete references to entry forms	207.10.5	Approved
R-30	Update entry provisions regarding relay-only swimmers	207.10.8	Approved
R-31	Clarification on team scoring	207.12.9D	Withdrawn
R-32	Specifically protect athletes under sexual misconduct section	304.3.5	Approved
R-33	Clarify that LSCs may not impose requirements for club or individual membership beyond those described in Article 502; proof of age may be required prior to competition in age classified events	502.2	Approved
R-34	Clarify that athletes are appointed to 1-year terms on committees	506.1	Approved
R-35	Allow Rules Committee to submit legislation after May 15 but before publication at normal approval percentage	511.5	Approved
R-36	Change effective date of amendments to Part One to May 1	511.6	Approved
R-37	Require entry information to designate whether race will be escorted or unescorted	701.2.2	Approved
R-38	Conform open water start language to FINA	701.2.3	Approved
R-39	Guidance regarding athlete numbering	701.3	Approved
R-40	Re-write disqualification section to clarify red/yellow flags	701.5	Approved
R-41	Re-write disqualification procedures to correspond to re-write of disqualification section	701.6	Approved
R-42	Include new language from FINA	701.16	Approved
R-43	Safety precautions regarding starts from a fixed platform	702.3	Approved
R-44	Provide for microchip technology	702.5	Approved
R-45	Bring abandonment policy into compliance with FINA	704.2	Approved
R-46	Allow for on-line entry to Open water National Championships	704.4	Approved
R-47	Allow flexibility in establishing qualifying times for Open Water Championships	704.10	Approved
HK-1	Remove reference to OW Guide (unnecessary language)	102.1 701.1	Approved
HK-2	Correct for grammar and consistency	102.8.3	Approved
HK-3	Relocate existing 102.10.10 in Disqualification section to 102.9, Swimwear section	102.9 102.10	Approved
HK-4	Update FINA's name	Global change	Approved
HK-5	Clarify "tapper"	105.2	Approved
HK-6	LSC Model Bylaws are now referred to as Required LSC Bylaws	509.1	Approved
HK-7	Update references and terminology in Required LSC Bylaws	Required LSC Bylaws	Approved

USA SWIMMING RULES & REGULATIONS COMMITTEE

AMENDMENTS TO
USA SWIMMING RULES & REGULATIONS
ADOPTED AT THE 2009 HOUSE OF DELEGATES

R-1 Adopted Effective January 1, 2010

1 **Location:** Page 12 Glossary Swimming Words and Terms
2

3 Meet Committee – Unless otherwise specified in the meet information, the Meet Committee shall consist of the Meet
4 Director, Meet Referee, and coach and athlete members as appropriate.
5
6

R-2 Adopted Effective January 1, 2010

7
8 **Location:** Page 16 Glossary Open Water Swimming Words and Terms
9

10 Abandonment – Termination of an event prior to its completion due to safety considerations.
11

12 Escorted Swim – An event where each swimmer is required to have a support craft which accompanies the swimmer
13 throughout the race.
14

15 Unescorted Swim – An event where swimmers compete without a designated support craft.
16
17

R-3 Adopted Effective May 1, 2010

18
19 **Location:** Page 17 Article 101.1 Starts
20 Page 33 Article 102.16 Timing
21 Page 45 Article 103.15 Loudspeaker Start System
22

23 **101.1 STARTS**
24

25 .1 **Equipment** — A loudspeaker start system conforming to 103.15, with or without an underwater recall device, and
26 an electronic strobe signal visible to all manual timers and for forward and backstroke starts, shall be the preferred
27 starting device. ~~A .22-caliber starting pistol may be used.~~
28

29 **102.16 TIMING**
30

31 .1 **Timing Systems** — Every race in a swimming competition shall be timed with one or more of the following
32 systems, listed in their preferred order of use:
33

34 A **Automatic** — A timing system ~~that whose start is started by an electric impulse generated~~ activated by a starting
35 device ~~or a transducer capable of detecting a gun report~~ and stopped at the finish by the swimmer touching the
36 touchpad.
37

38 B **Semi-Automatic** — A timing system ~~that whose start is started by an electric impulse generated~~ activated by a
39 starting device ~~or transducer capable of detecting a gun report~~ and stopped by buttons pushed by timers at the
40 finish touch of the swimmer.
41

42 C **Manual** — A timing system consisting of individual lane timers, each operating a manual watch that is both
43 started and stopped by the timer as described in 102.16.3C. Only hand-held, battery powered, digital read-out
44 type watches designed for timing purposes shall be used.
45

46 **103.15 /NC/ LOUDSPEAKER START SYSTEM** — An electronic sound generating device shall be provided to give
47 the starting and recall signal. Loudspeakers may be mounted underneath or on the side of each starting platform,
48 between every two platforms, on each side of the racing course, or positioned behind the starting platforms in such a
49 manner that equitable dispersion of sound to all lanes is assured. The device shall also activate a strobe light, or similar
50 visual signal, located on the starter's side of the course approximately 15 feet forward from the starting end, to indicate
51 the start to manual timers and deaf and hard-of-hearing swimmers. The start system may include an underwater recall
52 speaker and ~~gun~~ final lap signal option.
53
54

R-4 **Adopted Effective May 1, 2010**

55
56 **Location: Page 17 Article 101.1 Starts**

57
58 **101.1 STARTS**

59
60 **.3 False Starts**

61
62 A Any swimmer starting before the starting signal is given shall be disqualified if the Referee independently
63 observes and confirms the Starter's observation that a violation occurred. Swimmers remaining on the starting
64 blocks shall be relieved from their starting positions with the "Stand up" command and may step off the blocks.
65 ~~The Starter shall restart the race upon signal by the Referee.~~
66
67

R-10 **Adopted Effective October 1, 2010**

68
69 **Location: Page 28 Article 102.9. Swimwear**

70
71 **Proposed by:** Senior and Age Group Development Committees

72
73 MOTION: Change effective date of amendment adopting FINA swimwear rules to October 1, 2009.
74
75

R-13 **Adopted Effective Immediately**

76
77 **Location: Page 28 Article 102.9 Swimwear**
78 **Article 205.10 Swimwear in Age Group Competition**

79
80 **102.9 Swimwear**

81
82 **.1 Design**

- 83
84 A *no change*
85
86 B In swimming competitions, the competitor must wear only one swimsuit in one or two pieces except as
87 provided in 205.10.1. All swimsuits shall be made from textile materials. For men, the swimsuit shall not
88 extend above the navel nor below the knees, and for women, shall not cover the neck, extend past the
89 shoulder, nor extend below the knee.
90
91 C *no change*

92
93 **205.10 SWIMWEAR IN AGE GROUP COMPETITION**
94
95 .1 For age group competitions, it is permissible for an athlete to wear a single set of garments underneath his or her
96 competition swimsuit for modesty and/or privacy reasons.
97
98

R-14 Adopted Effective October 1, 2009

99
100 **Location: Page 28 Article 102.9. Swimwear**

101
102 **102.9 SWIMWEAR**

103
104 **.1 Design**

- 105
106 A. Swimwear shall include only a swimsuit, cap and goggles. Armbands or leg bands shall not be regarded as
107 parts of the swimsuit and are not allowed.
- 108
109 B. In swimming competitions, the competitor must wear only one swimsuit in one or two pieces. All swimsuits
110 shall be made from textile materials. For men, the swimsuit shall not extend above the navel nor below the
111 knees, and for women, shall not cover the neck, extend past the shoulder, nor extend below the knee.
- 112
113 .1 Exemptions to the foregoing restriction may be granted to a swimmer, on a case by case basis, by the
114 Chair of the Rules & Regulations Committee, or his/her designee. Exemptions will be granted only
115 for conflicts due to the swimmer's verified religious beliefs or verified medical conditions.
- 116
117 .2 Procedures for applying for an exemption will be established by the Rules & Regulations Committee
118 and posted on the USA Swimming website.
- 119
120 .3 No exemption to this restriction will be granted for a swimsuit that will give the swimmer a
121 competitive advantage.
- 122
123 .4 The decision of the Rules Chair may be appealed only to the entire Rules & Regulations Committee
124 whose decision shall be final and binding on all parties.
- 125
126 C. Only swimsuits approved by FINA, as reflected on its published list of approved swimsuits may be worn in
127 any USA Swimming sanctioned or approved competition.
- 128
129 D. Swimsuits worn for competition must be non-transparent and conform to the current concept of the
130 appropriate.
- 131
132 E. The Referee shall have the authority to bar offenders from the competition until they comply with the rule.
133
134

R-15 Adopted/Amended Effective Immediately

135
136 **Location: Page 41 Article 103.2 Water Depth**

137
138 **103.2 WATER DEPTH**

- 139 .1 /NC/2 meters (6 feet 7 inches) deep throughout the course.

140 .2 **/M/Teaching Racing Starts** – Minimum water depth for teaching racing starts in any setting from any height
141 starting blocks or the deck, prior to certification, shall be 6 feet (1.84 meters) measured for a distance of 3 feet 3 ½
142 inches (1.0 meter) to 16 feet 5 inches (5.0 meters) from the end wall. Teaching racing starts shall only take place
143 under the direct supervision of a USA Swimming member coach and shall include:

144 A All racing start instruction until a swimmer has been certified by his or her USA Swimming member coach as
145 proficient in performing a racing start, and

146 B Subsequent to certification, instruction which seeks to alter a swimmer’s basic technique in performing a
147 racing start.

148 Subsequent to certification, practicing of racing starts may take place in water depth of four (4) feet (1.22meters)
149 and deeper.

150

R-17 Adopted Effective May 1, 2010

151
152
153

Location: Page 51 Article 105.1 General

154 **105.1 GENERAL**

- 155 .1 **Authority** — *no change*
156
157 .2 **Responsibilities** – *no change*
158
159 .3 **Modifications** — Aids to buoyancy or speed are not allowed (See 102.10.10). Some of the modifications which the
160 Referee may make to accommodate the athlete with a disability are:
161
162 (1) A change in starting position.
163
164 (2) Reassignment of lanes within a heat, e.g., exchanging Lanes 2 and 7.
165
166 (3) Allowing the athlete’s to have a personal assistant(s) on the deck to assist with a start, A personal
167 assistant is not required to be a member of USA Swimming unless acting in a coaching capacity.
168
169 (4) Other allowable modifications are further described in this section under the type of disability.
170
171

R-18 Adopted Effective May 1, 2010

172
173
174
175
176

Location: Page 52 Article 105.3 Deaf and Hard of Hearing

105.3 Deaf and Hard of Hearing

- 177 .1 Deaf and hard of hearing swimmers require a visual starting signal, i.e., a strobe light and/or Starter’s arm signals.
178 The Referee may reassign lanes within the swimmer’s heat, i.e., exchanging one lane for another, so that the strobe
179 light or Starter’s arm signal can more readily be seen by the deaf or hard of hearing swimmer. Standard Starter’s
180 arm signals are shown in Figure 1. A false start rope is required in the event of a recall, provided the meet host is
181 notified by the entry deadline that a deaf or hard of hearing swimmer will be participating.

182

R-19 Adopted Effective May 1, 2010

183
184 **105.5 PHYSICAL DISABILITIES**
185

186 .1 *no change*

187 .2 *no change*

188
189 .3 **Turn/Finishes** —

190 **A** Touches shall be judged in the same manner as strokes and kicks, i.e., on the basis of the arm(s) and/or hand(s)
191 that the swimmer can use. In breaststroke and butterfly events, the competitor must reach forward as if
192 attempting a simultaneous two-hand touch. When a swimmer has a different arm length, only the longer arm
193 must touch the wall, but both arms must be stretched forward simultaneously. Swimmers with no arms or with
194 upper limbs too short to stretch above the head may touch the wall with any part of the upper body.

195 **B** At the turn and finish of the butterfly, an athlete with no leg function is permitted to perform a partial stroke
196 with the arm(s) recovering forward under the surface of the water in order to touch the wall.
197
198

R-20 Adopted Effective January 1, 2010

199
200 **Location: Page 55 Article 202.1 Sanctions and Approvals**

201 **202.1 JURISDICTION** — As the National Governing Body for competitive swimming in the United States and as a
202 Federation member of FINA, USA Swimming has the sole and exclusive authority to sanction or approve domestic and
203 international swimming competition conducted within its jurisdiction. Each Local Swimming Committee (LSC), as the
204 administrative arm of USA Swimming, is authorized to issue the sanction or approval for all swimming competition
205 and benefits, exhibitions, clinics and entertainment involving competitive swimming within its geographical
206 boundaries. Additional requirements/conditions for sanction or approval, other than those listed in 202.2, 202.3 and
207 202.4, may be established by a vote of the LSC House of Delegates in accordance with LSC Bylaws. ~~Sanction is not~~
208 ~~required for closed competition which is restricted to members of a single Group Member of USA Swimming,~~
209 ~~although it may be issued by the LSC upon proper application.~~
210
211

R-21 Adopted Effective January 1, 2010

212
213 **Location: Page 57, Article 202.3 Conditions of Sanction**
214

215 **202.3 Conditions of Sanction** – Any event for which a sanction is required according to 202.1 is subject to the
216 following conditions:

217
218 .1 No swimmer who is not a member as provided in Article 302 will be allowed to compete or participate except as
219 provided under 202.6 or USA Swimming’s “open border” policy included in its Registration Manual.
220

221 .2 At a sanctioned competitive event, USA Swimming athlete members must be under the supervision of a USA
222 Swimming member coach during warm-up, competition, and warm-down. Athletes participating under the
223 provisions of 202.6 or USA Swimming’s “open border” policy must be under the supervision of their own coach
224 or a USA Swimming member coach. The Meet Director or Meet Referee shall assist the athlete in making
225 arrangements for such supervision.
226

227 .3 All meet directors, referees, starters, and stroke and turn judges, serving in an official capacity in a sanctioned
228 event, must be members of USA Swimming, ~~and or other FINA-member organization.~~ Except for coaches
229 accompanying athletes participating under the provisions of 202.6 or USA Swimming’s “open border” policy, all
230 persons acting in any coaching capacity in a sanctioned event must be coach members of USA Swimming.

231
232

R-22 Adopted Effective January 1, 2010

233
234
235
236

Location: Page 57 Article 202.3 Conditions of Sanction
Page 58 Article 202.4 Requirements for Approval

237
238
239

202.3. CONDITIONS OF SANCTION — Any event for which a sanction is required according to 202.1 is subject to the following conditions:

240
241

.6 The meet announcement shall include information about water depth measured for a distance of 3 feet 3 ½ inches (1.0 meter) to 16 feet 5 inches (5.0 meters) from both end walls.

242
243

Renumber remaining

244
245
246

202.4. REQUIREMENTS FOR APPROVAL — Approval of competition may be issued, withheld or withdrawn by an LSC in accordance with the following regulations:

247
248
249

.12 The meet announcement shall include information about water depth measured for a distance of 3 feet 3 ½ inches (1.0 meter) to 16 feet 5 inches (5.0 meters) from both end walls.

250
251

Renumber remaining

252
253

R-23 Adopted Effective January 1, 2010

254
255
256

Location: Page 58 Article 202.4 Requirements for Approval

257
258

202.4 REQUIREMENTS FOR APPROVAL – Approval of competition may be issued, withheld or withdrawn by an LSC in accordance with the following regulations:

259
260

~~.1 Approvals may be issued to either USA Swimming member clubs and LSCs or non-member clubs/ or organizations for meets conducted in accordance with USA Swimming technical rules.~~

261
262

.2 Approvals may be issued to member clubs for closed competition (such as YMCAs) conducted in accordance with USA swimming technical rules.

263
264

.3 Approvals may be issued to member clubs for open competition conducted in accordance with USA Swimming technical rules if that competition has been specifically approved by the USA Swimming Program Operations Vice-President or his/her designee.

266
267
268
269

R-24 Adopted Effective January 1, 2010

270
271

Location: Page 58 Article 202.4 Requirements for Approval

272
273

202.4. REQUIREMENTS FOR APPROVAL — Approval of competition may be issued, withheld or withdrawn by an LSC in accordance with the following regulations:

274
275
276
277

.4 No competition shall be approved unless a sufficient number of USA Swimming officials, certified by the LSC at a minimum of Stroke and Turn level, are present to observe and certify that the conduct of competition and all times achieved in such competition were in conformance with all applicable USA Swimming technical rules including, but not limited to, the following:

278	A Article 101 (all)	Start, individual stroke and relay rules
279	or Article 105	(Disability)
280	or Article 701	(Open Water)
281	B 102.2.2 & 3	Entry limit per day
282	C 102.16.4 A (1) & (2)	Requirements for official time/performance
283	D 102.16.4 B & C	Timing Resolution (including table)
284	E <u>102.16.5</u>	<u>Determination of Official Time</u>
285	E F 103.2.3, 103.3.1, 103.4	Minimum standards for facilities
286	103.12.1 & 2 and 103.14	
287	or Article 702 (Open Water)	
288		
289		

R-25 Adopted Effective January 1, 2010
--

290
291 **Location: Page 59 Article 202.5 Requirements for Observed Swims**

292 **202.5 REQUIREMENTS FOR OBSERVED SWIMS** — Swims may be observed by assigned USA Swimming
293 officials for conformance with USA Swimming technical rules in a meet conducted under other than USA Swimming
294 rules. Official times achieved as observed swims may be submitted for entry into the SWIMS database if all of the
295 following conditions are met:

296 .1 The meet must be a season-culminating Championship, e.g., League, Conference, District, Sectional, State,
297 Regional, or be specifically approved by the USA Swimming Program Operations Vice President or designee. A
298 time trial held in conjunction with the season-culminating championship meet that is officiated in accordance with
299 the same standard as the championship meet may also be observed.

300 .2 Requests for USA Swimming observers for certification of times from meets in the championship progression must
301 be made to the host LSC in accordance with LSC procedures at least 10 days prior to the meet. Applications for
302 observation of all other meets must be made to the host LSC at least 10 days prior to the meet. Authorization of
303 such non-championship meets must then be approved by the USA Swimming Program Operations Vice President
304 or designee.

305 .3 A USA Swimming official must verify that all swims approved for USA Swimming purposes were in accordance
306 with the requirements of 102.16.4 (Requirements for Official Times), 102.16.5 (Determination of Official Time),
307 103.3.1 (Racing Course Dimensions), and 103.12.1 & 2 (Starting Platforms).

308 .34 Where the technical rules of the stroke differ from USA Swimming as defined in Article 101, at least two USA
309 Swimming observers, who shall be certified Stroke & Turn Judges assigned or approved by the LSC, must be
310 present, one at each end of the course, to verify compliance of the swim or swims, ~~when blanket observed (all~~
311 swims observed), with USA Swimming rules specified in 202.4.4A, C, and D, and 103.3.1. with that part of the
312 USA Swimming rule that differs from the organization’s rule. Where the technical rules as listed in Article 101 are
313 identical to those of the organization under whose rules the meet is being conducted, the judgment of the
314 organization officials shall be sufficient. An individual swim being observed requires notification to the observers
315 prior to the start of the competition. The times should be entered, upon request, into SWIMS, the National Times
316 Database.
317
318

R-26 Adopted Effective January 1, 2010
--

319
320 **Location: Page 61 Article 203.5 Representation**
321

322 **203.5** When transferring between LSCs or clubs the swimmer shall submit a completed transfer form in accordance
323 with USA Swimming and LSC procedures. When transferring from one club to another within the same LSC, the
324 procedural requirements established by the LSC shall be followed. LSCs may not establish procedures for transfers
325 which effectively deny a swimmer the right to transfer from one LSC or club to another.
326
327

R-27A **Adopted Effective January 1, 2010**

328
329 **Location: Page 70 Article 207.9 Entry Forms and Official Meet Information**
330

331 **207.9 ENTRY FORMS AND OFFICIAL MEET INFORMATION**

- 332 .1 The entry forms and information shall be prepared under joint direction of the Program Operations Vice President, the Rules
333 Chairman, the Meet Director, and the Executive Director.
- 334 .2 The meet information shall state qualifying times and procedures necessary for proof of entry times. (See 207.8) For a USA
335 Swimming Championship meet, Program Operations may permit bonus events. For each qualifying time achieved in an individual
336 event, additional bonus events may be allowed. Requirements for bonus events will be specified in the meet information.
- ~~337 .3 Entry fees shall be \$10.00 for individual events and \$25.00 for relay teams.~~

R-28 **Adopted Effective January 1, 2010**

337
338 **Location: Page 70 Article 207.10 Entries**
339

340 **207.10 Entries**

- 341
342 .1 A swimmer and/or relay team will be officially entered when the ~~entry blanks or electronic~~ entries are received by
343 USA Swimming prior to the meet entry deadline. The method and procedure for submission of entries will be stated
344 in the meet information.

R-29 **Adopted Effective January 1, 2010**

346
347 **Location: Page 70 Article 207.10 Entries**
348

349 **207.10 Entries**

- 350
351 .5 Only swimmers and relay teams ~~listed on the official entry~~ entered using the procedures stated in the meet
352 information shall be eligible to compete. ~~No changes in Submitted times may be updated up to the entry deadline.~~
353 ~~Corrections or changes of events entered, or additional entries shall be allowed.~~ No corrections or changes of
354 events entered or additional entries will be accepted after the entry deadline. Typographical or transcription errors
355 which can be readily verified by entry data or National Times Data Base data may be corrected if attested to by the
356 swimmer, coach, or the swimmer's representative prior to the scratch deadline.

R-30 **Adopted Effective January 1, 2010**

358
359 **Location: Page 70 Article 207.10 Entries**
360

361 **207.10 Entries**

- 362
363 .8 Relay Entries

- 364
365 A A club may enter no more than two relay teams in each relay event.
366
367 B Only swimmers listed on the entry form for an organization entered in accordance with the meet
368 information shall be eligible to compete for that organization in relay events.
369
370

R-32 Adopted Effective January 1, 2010

371
372 **Location: Page 90 Article 304.3 Code of Conduct**

- 373 .5 Any sexual conduct, advance or other inappropriate sexually oriented behavior or action directed towards ~~a member~~
374 an athlete by (i) a coach member or other non-athlete member, or (ii) any other adult participating in any capacity
375 whatsoever in the affairs or activities of USA Swimming ~~or its LSCs~~ (whether such adult is a member or not). Any
376 nonconsensual physical sexual conduct, or pattern of unwelcome advances or other sexual harassment in connection
377 with or incidental to a USA Swimming-related activity by any person participating in the affairs or activities of USA
378 Swimming ~~or its LSCs~~ (whether such person is a member or not) directed toward any member or other person
379 participating in the affairs or activities of USA Swimming ~~or its LSCs~~.
380
381

R-33 Adopted Effective January 1, 2010

382
383 **Location: Page 110 Article 502.2 Group Membership**
384 **Page 110 Article 502.3 Individual Membership**
385

386 **502.2 Group Membership**

- 387 .1 Club Membership
388 A Club membership is for a calendar year. A club applying for membership on or after September 1 will receive
389 membership valid through December 31 of the following year.
390 B An LSC may provide for a seasonal club membership for the period established by the LSC pursuant to Article
391 302.2.3. Seasonal clubs may not compete at or above the Zone Championship level.
392 C An LSC shall not impose requirements for Club Membership in addition to those set forth in Article 502.
393 .2 Organizational Membership
394 A The Board of Directors may establish classes of organizational membership.
395 B Any organization which is interested in competitive swimming, on either the national, state, or local level, may
396 join USA Swimming.

397 **502.3 Individual Membership**

- 398 .1 Any individual may join USA Swimming as a member.
399 .2 Athlete members who register with an LSC and USA Swimming are eligible for swimming competition. An athlete
400 member shall not be registered in more than one LSC simultaneously.
401 .3 Non-athlete membership consists of three classes: individual, family, and life.
402 .4 Each class of membership (except life membership, seasonal membership and single-meet open water membership)
403 is for a calendar year period. Individuals applying for calendar year membership on or after September 1 will
404 receive membership credentials through the following year.
405 .5 An LSC shall not impose requirements for Individual Membership in addition to those set forth in Article 502. An
406 LSC may require proof of birth date prior to competition in age classified events.

407
408

R-34 Adopted Effective January 1, 2010

409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434

Location: Page 115 Article 506.1 Committees and Coordinators

506.1 Committees and Coordinators

- .1 Standing committees of USA Swimming shall be as listed in this Article.
- .2 Except for those individuals who qualify for their positions under some other provision of Article 506:
 - A Non-athlete Committee members shall serve four year terms;
 - B Non-athlete Committee members' terms shall be staggered so that one-fourth of all non-athlete members are appointed each year by the President following the annual meeting of the corporation;
 - C *no change*
 - D *no change*
 - E *no change*
 - F *no change*
 - G An appointed non-athlete committee member shall serve no more than two consecutive terms and may be reappointed following a lapse of one year.

R-35 Adopted Effective January 1, 2010

435
436
437
438
439
440
441
442
443
444
445
446

Location: Page 125 Article 511.5 Late Submission and Majority Required

511.5 Late Submission and Majority Required After the deadline has expired for submission of legislation to the Rules & Regulations Committee, new and/or additional amendments may be proposed, but they may be adopted only by an affirmative vote of nine-tenths (9/10) of the members of the House of Delegates present and voting. For purposes of this Article, legislation originating within the Rules & Regulations Committee will be considered as being submitted before the deadline as long as it is published in accordance with Article 511.3.

Renumber remaining provisions

R-36 Adopted Effective January 1, 2010

447
448
449
450
451
452
453

Location: Page 125 Article 511.6 Amendments

511.6 Effective Date All amendments to Part One of these Rules and Regulations approved as prescribed shall become effective on May ~~15~~ 1 of the year following their adoption, unless otherwise specified at the time of adoption. All other amendments to these Rules and Regulations approved as prescribed shall become effective on January 1 of the year following their adoption unless otherwise specified at the time of adoption.

R-37 Adopted Effective January 1, 2010

454
455 **Location:** Page 142 Article 701.2 Rules
456

457 **701.2 Rules**
458

- 459 .2 The Host Committee ~~must declare~~ shall include in the meet information the policy for abandonment and whether
460 the race will be an “escorted” or “unescorted” swim.

461
R-38 Adopted Effective January 1, 2010

462
463 **Location:** Page 142 Article 701.2 Rules
464

465 **701.2 Rules**
466

- 467 .3 The Start
468

469 A *no change*
470

- 471 B In all starts the start signal shall be both audible and visible. For fixed platform starts, the Starter shall give the
472 command “Take Your Mark” at which time the swimmers will assume a starting position with at least one foot
473 at the front of the starting platform. When all swimmers are stationary, the starter shall give the starting
474 signal.
475
476

R-39 Adopted Effective January 1, 2010

477
478 **Location:** Page 143 Article 701.3 Marking
479

480 **701.3 Marking** - Prior to the start, entrants shall be marked with their race number on both upper arms and their upper
481 backs. The competitors shall be numbered vertically down the arms and horizontally across the upper backs.
482 Depending on the finish system used, the Referee may also require numbering elsewhere on the body (hands or thighs).
483 Paddlers and escort boats for escorted swims ~~individual swimmers~~ shall also be marked on both sides with the
484 swimmers race number so it is easily seen from either side.
485
486

R-40 Adopted Effective January 1, 2010

487
488 **Location:** Page 143 Article 701.5 Disqualifications
489

490 **701.5 Disqualifications** —A swimmer shall be disqualified for:
491

- 492 ~~.1 Willfully or intentionally delaying or impeding the progress of another swimmer. (Note: Incidental contact,~~
493 ~~especially at the start of the event, shall not be a basis for disqualification.);~~
494

- 495 .1 RED FLAG —A swimmer shall receive a Red Flag and be disqualified from further competition for:
496

497 A Accumulating two yellow flag infractions for any combination of rules violations. The Red Flag will be issued
498 at the time of the second infraction;
499

500 B Failing to swim or complete the prescribed course. Competitors who do not finish the course within the time

- 501 limit shall be removed from the water except that the Referee may allow a competitor outside the time limit to
 502 complete the course but not participate in any points or prizes awarded;
- 503
- 504 C Receiving assistance by pulling the cables, lane markers, buoys or buoy lines (Note: Incidental contact shall
 505 not be grounds for disqualification.);
- 506
- 507 D Receiving propulsive aid from anyone in boats or other escort craft of any kind;
- 508
- 509 E Walking or pushing off the bottom or objects thereon. (Note: Pushing off at the start or walking at the finish
 510 where an on-shore finish is employed is permitted.);
- 511
- 512 ~~.6 Violating the swimwear rules. No swimmer shall be permitted to use or wear any device which may be an aid to~~
 513 ~~his/her speed, endurance or buoyancy. Goggles, a maximum of two (2) caps, nose clip, and earplugs may be used;~~
- 514
- 515 ~~.7 Receiving aid from a non-competing person in the form of pacing;~~
- 516
- 517 ~~.8 Taking an unfair advantage by slipstreaming an escort safety craft (Race judges shall instruct swimmers who are~~
 518 ~~taking unfair advantage by pacing or slipstreaming with escort safety craft to move clear.);~~
- 519
- 520 ~~.9 Actions of his/her escort safety craft or coach that interfere with another swimmer's progress or for failure of~~
 521 ~~his/her craft or coach to heed the instruction of an assigned official;~~
- 522
- 523 F Receiving support from any fixed or floating object or touching or being touched by his/her escort safety craft
 524 or the crew. (Standing on the bottom during the race shall not disqualify the swimmer. Incidental physical
 525 contact while giving food or liquid to a swimmer shall not result in disqualification.) Being touched by water
 526 safety personnel will not necessarily result in disqualification;
- 527
- 528 G Unsporting conduct. Swimmers will be disqualified if they, or their support craft or support personnel commit
 529 an act that is deemed unsporting by the Referee. Examples of unsporting conduct include intentionally
 530 striking another swimmer, refusing to re-round a turn mark and intentional interference with another swimmer
 531 while approaching the finish;
- 532
- 533 H Violating the swimwear rules. No swimmer shall be permitted to use or wear any device which may be an aid
 534 to his/her endurance, or buoyancy. Goggles, a maximum of two (2) caps, nose clip and earplugs may be used.
- 535
- 536 .2 **YELLOW FLAG** – A swimmer shall receive a Yellow Flag caution for:
- 537
- 538 A Gaining an unfair advantage at the start If in the opinion of the Referee an unfair advantage has been gained at
 539 the start the offending competitor will be given a Yellow Flag or a Red Flag as determined by the Referee;
- 540
- 541 B Receiving aid from a non-competing person in the form of pacing;
- 542
- 543 C Taking an unfair advantage by slipstreaming an escort safety craft. (Race judges shall instruct swimmers who
 544 are taking unfair advantage by pacing or slipstreaming with escort safety craft to move clear.);
- 545
- 546 D Actions of his/her escort craft that interfere with another swimmers progress or for failure of his/her craft or
 547 coach to heed the instruction of an assigned official;
- 548
- 549 E Intentional contact with another swimmer or contact which causes interference.
- 550
- 551

R-41 Adopted Effective January 1, 2010
--

552
 553
 554

Location: Page 143 Disqualification Procedure

555 **701.6 Disqualification Procedure:** ~~If in the opinion of the Referee or Assistant Referee, any swimmer or escort~~
556 ~~safety craft commits any of the infractions in this section, the following procedure shall apply:~~
557

558 .1 ~~First Infringement:- A yellow flag and a card bearing the number of the swimmer's number shall be raised by the~~
559 ~~Referee to indicate and to inform the swimmer that he is in violation of the rules. Yellow Flag – A swimmer who~~
560 ~~commits an infraction listed in 701.5B shall receive a Yellow Flag. The Referee will display a Yellow Flag and a~~
561 ~~card bearing the number of the swimmer being charged with the infraction. Whistles may be used by the Referee~~
562 ~~to get the swimmer's attention. The Referee may use a whistle to attempt to get the swimmer's attention in order~~
563 ~~to notify the swimmer being charged with an infraction. There is no requirement for the swimmer to acknowledge~~
564 ~~the infraction.~~
565

566 .2 ~~Second Infringement - A red flag and a card bearing the swimmer's number shall be raised by the Referee to~~
567 ~~inform the swimmer that he is, for the second time, in violation of the Rules. Red Flag - A swimmer who commits~~
568 ~~an infraction as listed in 701.5A shall receive a Red Flag (Disqualification). The Referee will display a Red Flag~~
569 ~~and a card bearing the number of the swimmer being charged with the infraction. The swimmer shall be~~
570 ~~disqualified. He must leave the water immediately and be placed in an escort craft and take no further part in the~~
571 ~~race. Whistles may be used by the Referee to get the swimmer's attention. The Referee may use a whistle to get~~
572 ~~the swimmer's attention in order to notify the swimmer of the disqualification. The disqualified swimmer must~~
573 ~~leave the water immediately.~~
574

575 .3 ~~The Referee may disqualify a swimmer without prior warning if in his opinion the action of the swimmer or escort~~
576 ~~craft is deemed to be unsportsmanlike. Examples of unsportsmanlike conduct include intentionally striking another~~
577 ~~swimmer and refusal to re-round a turn mark after being advised the mark was missed.~~
578
579

R-42 Adopted Effective January 1, 2010

580
581 **Location: Page 146 Article 701.16 The Starter**

582
583 **701.16 The Starter**

584
585 .1-.3 *no change*

586
587 .4 When swimmers are starting from a fixed platform, the Starter shall give the command, "Take Your Mark," at
588 which time the swimmers will assume a starting position with at least one foot at the front of the starting platform.
589 When all swimmers are stationary the starter shall give the starting signal.
590
591

R-43 Adopted Effective January 1, 2010

592
593 **Location: Page 147 Article 702.3 The Start**

594
595 **702.3 The Start**

596
597 .1 The start line shall be clearly defined by overhead apparatus or removable equipment at water level.
598
599 .2 If the race is started from a fixed platform, the water depth requirements of 103.2.3 must be met. Additionally, the
600 Course Officer and Referee shall have the start area inspected for hidden underwater obstacles or obstructions. If
601 there is any doubt as to the condition of the start area, an in-water or beach start shall be used.
602
603

R-44 Adopted Effective January 1, 2010

604

605 **Location: Page 147 Article 702.5 The Finish**

606
607 **702.5 The Finish**

608
609 .1-2 *no change*

610
611 .3 When Automatic Officiating Equipment (microchip technology) is used for timing of the race, the official time for
612 the finish of the race shall be recorded in tenths of seconds. Actual finish placement shall be determined by manual
613 finish judging and/or video replay of the finish.
614
615

R-45 Adopted Effective January 1, 2010

616
617 **Location: Page 148 Article 704.2 Abandonment**

618
619 **704.2 Abandonment** – Where emergency conditions require a race to be halted before it is completed, the following
620 shall apply:

- 621
- 622 .1 ~~5K & 10K events~~ Races of 10K or shorter: In the event of abandonment, the race ~~should~~ shall be re-started from
623 the beginning at the earliest possible time and the full distance completed.
 - 624
625 .2 ~~25K events~~ Races longer than 10K: If the race is abandoned prior to the lead swimmer ~~reaching the 12.5K point~~
626 completing three-fourths of the distance of the event, the race ~~should~~ shall be re-started from the beginning and the
627 full distance completed at the most appropriate time as decided by the meet committee and the full distance
628 completed. If the race is abandoned ~~after the 12.5K point~~ when the lead swimmer has completed at least three-
629 fourths of the race, the race ~~will~~ shall be considered complete. The final placings of the swimmers shall be
630 determined by the Meet Referee.
631
632

R-46 Adopted Effective January 1, 2010

633
634 **Location: Page 148 Article 704.4 Entry Blanks and Meet Information Book**

635
636 **704.4 Entry Blanks- Process and Meet Information Book** – The entry ~~blank~~ procedure shall be stated in the and
637 meet information booklet. The meet information shall be prepared under joint direction of and approved by the Steering
638 Committee, the Meet Director, Program Operations, and the USA Swimming Executive Director or his/her
639 representative.
640

R-47 Adopted Effective January 1, 2010

641
642 **Location: Page 149 Article 704.10 Proof of Time**

643
644 **704.10 Proof of Time** - ~~Any~~ A swimmer entered in any USA Swimming National Championship 10 kilometers or
645 longer may shall be required to show proof of having achieved a time of 18 minutes or better in the 1500 meter freestyle
646 for men or 19 minutes or better in the 1500 meter freestyle for women. met the entry qualification standards as set forth
647 in the meet information.
648
649
650

HK-1 Adopted Effective January 1, 2010

651

652 **Location:** **Page 22 Article 102.1 Events**
653 **Page 141 Article 701.1 Events/Meets**
654

655 **102.1 EVENTS** — Meets should be planned to terminate within a maximum period of eight (8) hours of competitive
656 events for any group of swimmers in any one day and to provide adequate meal, rest breaks and properly supervised
657 sheltered rest areas. Refer to 205.3.1 F for additional provisions.

- .3 **OPEN WATER AND LONG DISTANCE POOL EVENTS** — The following events are recommended for Sectional, Zone, and LSC competitions. Competitions may be composed of events selected from the following list of events or other such events/meet types as may be sanctioned by the LSC. ~~See Open Water Meet Manager's Guide for additional options.~~

658 **701.1 EVENTS/MEETS**

- 659
660 .1 Recommended individual events are listed in 102.1.3. ~~Additional event options are listed in the Open Water Meet~~
661 ~~Managers Guide.~~
662
663

HK-2 Adopted Effective May 1, 2010

664
665 **Location:** **Page 27 Article 102.8 Change of Program and Postponement**
666

667 **102.8 CHANGE OF PROGRAM AND POSTPONEMENT**

- 668
669 .3 The entry provisions and starting time of any event ~~each~~ all affected swimmers or their coaches must
670 voluntarily agree in writing that they ~~has~~ have been notified and ~~is~~ are in accord with such change. Any affected
671 swimmer or ~~their~~ his or her coach may ~~and should~~ file a written protest with the Referee prior to running of event or
672 meet if they do not agree to such change in time or date.
673
674

HK-3 Adopted Effective October 1, 2010

675
676 **Location:** **Page 28 Article 102.9 Swimwear**
677 **Page 29 Article 102.10 Disqualifications**

678 **102.9 SWIMWEAR**

- 679
680 **.1 Design**
681
682 A. Swimwear shall include only a swimsuit, cap and goggles. Armbands or leg bands shall not be regarded as
683 parts of the swimsuit and are not allowed.
684
685 B. In swimming competitions, the competitor must wear only one swimsuit in one or two pieces. All swimsuits
686 shall be made from textile materials. For men, the swimsuit shall not extend above the navel nor below the
687 knees, and for women, shall not cover the neck, extend past the shoulder, nor extend below the knee.
688
689 C. Only swimsuits complying with FINA swimsuit specifications may be worn in any USA Swimming sanctioned
690 or approved competition.
691
692 D. Swimsuits worn for competition must be non-transparent and conform to the current concept of the
693 appropriate.
694

695 E. No swimmer is permitted to wear or use any device, substance or swimsuit to help his/her speed, pace,
696 buoyancy or endurance during a race (such as webbed gloves, flippers, fins, etc.). Goggles may be worn, and
697 rubdown oil applied if not considered excessive by the Referee. Any kind of tape on the body is not permitted
698 unless approved by the Referee.
699

700 ~~EF~~ The Referee shall have the authority to bar offenders from the competition until they comply with the rule.

701
702 **102.10 DISQUALIFICATIONS**
703

704 ~~.10 No swimmer is permitted to wear or use any device, substance or swimsuit to help his/her speed, pace, buoyancy or~~
705 ~~endurance during a race (such as webbed gloves, flippers, fins, etc.). Goggles may be worn, and rubdown oil~~
706 ~~applied if not considered excessive by the Referee. Any kind of tape on the body is not permitted unless approved~~
707 ~~by the Referee.~~

708 *Renumber remaining*
709

HK-4 Adopted Effective January 1, 2010

710
711 **Location: Page 46, 89, 109, 121, 124 (global change)**
712

713 Federation Internationale de Natation ~~Amateur~~ (FINA)
714

HK-5 Adopted Effective May 1, 2010

715
716 **Location: Page 51 Article 105.2 BLIND AND VISION LOSS**
717

718 **105.2 BLIND AND VISION LOSS**

719 .1 **Start** – *no change*

720 .2 **Turns and Finishes** - A swimmer who is blind or has vision loss is permitted to have a personal assistants (“tap-
721 pers”, ~~which is who use a poles with a soft-tipped ends; to tap the swimmer is tapped with the “tapper”~~ as notifi-
722 cation of turns and the finish). Sound devices shall not be used. It is the swimmer’s responsibility to provide the
723 taper(s) ~~and operator(s)~~, who shall be positioned within the confines of the swimmer’s lane at the ends of the pool.
724
725

HK-6 Adopted Effective January 1, 2010

726
727 **Location: Page 123 Article 509.1 LSC Model Bylaws**
728

729 **509.1 REQUIRED LSC Model Bylaws:** Each LSC ... based on the ‘Required LSC Model Bylaws’, adopted
730contained within the “Required LSC Model Bylaws,”

HK-7 Adopted Effective January 1, 2010

733
734 **Location: Required LSC Bylaws**
735

736 602.1 MEMBERS - The membership of XXSI shall consist of the following:

737
738 .3 MEMBERSHIP A PRIVILEGE NOT A RIGHT - Membership in XXSI and USA Swimming is a privilege and shall not
739 be interpreted as a right. Membership (*including a Life Membership*) may be terminated by the Board of Review
740 or the National Board of Review for any violation of a member's responsibilities under Section ~~θ~~ 602.2, for any
741 of the reasons set forth in Article 404.1.3 of the USA Swimming Rules and Regulations, ~~Section θ~~ or for any
742 other reason determined by the Board of Review or National Board of Review to be in the best interests of the
743 sport of swimming, USA Swimming or XXSI.
744

745 604.4 DUTIES AND POWERS - The House of Delegates shall oversee the management of the affairs of XXSI and the
746 establishment of policies, procedures and programs. In addition to the duties and powers prescribed in the USA
747 Swimming Rules and Regulations or elsewhere in these Bylaws, the House of Delegates shall:
748

749 .10 Remove from office any Board Members, members of the Board of Review, *or* committee chairmen or members
750 *or coordinators* who have failed to attend to their official duties or member responsibilities or have done so
751 improperly, or who would be subject to penalty by the Board of Review for any of the reasons set forth in ~~Section~~
752 ~~θ~~ Article 404.1.3 of USA Swimming Rules and Regulations. However, no Board Member, Board of Review
753 member or elected committee chairman *or coordinator* may be removed except upon not less than thirty (30)
754 days written notice by the Secretary or other officer designated by the House of Delegates specifying the alleged
755 deficiency in the performance of member responsibilities or specific official duties or other reason. All notices
756 and proceedings under this section shall be prepared, served and processed utilizing the procedures for a formal
757 hearing pursuant to ~~Section θ~~ Article 406 of the USA Swimming Rules and Regulations to the extent applicable.
758 Should the Board Member, Board of Review member or elected committee chairman *or coordinator* contest the
759 alleged deficiency or other reason alleged in the notice, the House of Delegates shall hold a hearing at which the
760 defendant shall have the same rights as if the hearing were to be conducted by the Board of Review pursuant to
761 ~~Article θ~~ Part Four of the USA Swimming Rules and Regulations.
762

763 605.6 DUTIES AND POWERS - The Board of Directors shall act for XXSI and the House of Delegates during the
764 intervals between meetings of the House of Delegates, subject to the exercise by the House of Delegates of its
765 powers of ratification or prospective modification or rescission, except that it shall not remove a Board Member, a
766 Board of Review member or other person elected by the House of Delegates or amend these Bylaws. In addition
767 to the powers and duties prescribed in the USA Swimming Rules and Regulations or elsewhere in these Bylaws,
768 the Board of Directors shall have the power and it shall be its duty to:
769

770 .12 Remove from office any officers, *At-Large Board Members*, committee chairmen, *or* committee members *or*
771 *coordinators* of XXSI who were not elected by the House of Delegates and who have failed to attend to their
772 official duties or member responsibilities or have done so improperly, or who would be subject to penalty by the
773 Board of Review for any of the reasons set forth in Article 404.1.3 of the USA Swimming Rules and Regulations
774 ~~Section θ~~. No officer, *At-Large Board Member*, *or* committee chairman *or coordinator* may be removed without
775 receiving the thirty (30) days written notice specifying the alleged deficiency in the performance of the member's
776 responsibilities under these Bylaws, the member's official duties or other reasons. All notices and proceedings
777 under this section shall be prepared, served and processed utilizing the procedures for a formal hearing pursuant
778 to ~~Section θ~~ Article 406 of the USA Swimming Rules and Regulations to the extent applicable. Should the
779 officer, *At-Large Board Member*, committee chairman, *or* committee member *or coordinator* contest the alleged
780 deficiency or other reason set forth in the notice, the Board of Directors shall hold a hearing at which the member
781 shall have the same procedural rights as if the hearing were to be conducted by the Board of Review pursuant to
782 ~~Article θ~~ Part Four of the USA Swimming Rules and Regulations.
783

784 610.2 BOARD OF REVIEW ORGANIZATION -
785

786 .11 ADVICE; ATTORNEY AS PRESIDING OFFICER -
787

788 A *no change*
789

790 B Attorney as Presiding Officer - The Board of Review or the Chair may retain an attorney (who need not be a
791 member of XXSI, USA Swimming or the Board of Review) to act as Presiding Officer at any hearing where
792 it is appropriate or helpful. A Presiding Officer who is not a Board of Review member may not participate

793 in the deliberations of the Board of Review or the designated panel or have a vote.

794
795 610.3 GENERAL -
796
797 .4 TIMELINESS OF PETITION - The Board of Review need not exercise its jurisdiction with respect to a Petition the
798 subject matter of which occurred, or concerns or is founded on events which occurred, more than ninety (90) days
799 prior to the date the Petition is received (as determined under ~~Section 0~~ Article 406.1 of the USA Swimming
800 Rules and Regulations),. A determination not to exercise its jurisdiction as a result of the untimeliness of a
801 Petition may be made by the Chair alone and may be the subject of a request for rehearing and, thereafter, appeal
802 to the National Board of Review pursuant to ~~Section 0~~ Article 408 of the USA Swimming Rules and Regulations.

803
804
805 612.2 EXCLUSION - The indemnification provided by this Article 0, shall not apply to any Indemnified Party whose
806 otherwise indemnified conduct is finally determined to have been in bad faith, self-dealing, gross negligence,
807 wanton and willful disregard of applicable laws, rules and regulations, of the USA Swimming Rules and
808 Regulations, of the USA Swimming Code of ~~Ethics~~ Conduct or these Bylaws or who is convicted of a crime
809 (including felony, misdemeanor and lesser crimes) involving sexual misconduct, child abuse, violation of a law
810 specifically designed to protect minors or similar offenses, or who is found by the Board of Review or the
811 National Board of Review to have committed actions which would be the basis for a conviction and, in each case,
812 the otherwise indemnifiable conduct (or failure to act) was, or was directly related to, the predicate acts of the
813 conviction or finding.
814