



**UNIVERSITY OF UTAH CLUB  
SWIMMING**

Constitution Adopted: August 1<sup>st</sup>, 2014

## **ARTICLE I – NAME**

1. The name of this club will be University of Utah Club Swimming and may also be known as the University of Utah Club Swim Team, Utah Club Swim, or Utah Club Swim (hereafter referred to as “the Club”).
2. In the event of Co-Presidency, hereafter ‘President’ will refer to both individuals serving as Co-Presidents unless otherwise noted. This includes instances where both are referred to as “President/Co-President”.

## **ARTICLE II – PURPOSE**

1. To help students, faculty, staff, and alumni of the University of Utah develop their swimming skills, learn performance techniques, and foster a love for competition and sportsmanship.
2. To create a supportive, friendly, and all-inclusive team environment at the University of Utah that emphasizes team unity above all else.
3. We agree to abide by all regulations described in the Guidelines for Recognized Student Organizations, all University policies, in addition to all federal, state, and local laws.

## **ARTICLE III – MEMBERSHIP**

1. Requirements
  - a. The Club will hold tryouts twice per year, in order to assess prospective athletes’ dedication to the team and contribution to the team’s purpose statement. Evaluations will not be made on the basis of athletic ability.
  - b. Membership shall be open to any currently enrolled student or employee of the University.
  - c. All students of the University of Utah will be given an equal opportunity to try out for the Club, provided they meet the minimum requirements for participation in a sport club as determined by Campus Recreation Services (CRS). These requirements are:
    - i. Be either a current student who are registered for at least one credit hour, including all registered graduate and undergraduate students of the University of Utah; or
    - ii. An Associate Member, including any member of the University of Utah community holding a valid CRS Membership; and
    - iii. Hold a valid personal medical insurance policy
  - d. Prior to beginning their tryout period, all prospective athletes are required to attend a mandatory Athlete Orientation Meeting, at a date and time determined by the Club Executive Board. All interested parties will be informed of the date and time with at least a month’s prior notice, and reasonable accommodations will be made for those unable to attend.
  - e. All prospective members must participate in a tryout to determine their eligibility for the Club.

- f. This organization shall not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity/expression, age, or status as an individual with disability, or as a protected veteran, and any other status protected by applicable state or federal law. (University of Utah, Policy 6-400, Section II-E).
- g. This organization agrees to keep its membership primarily to currently enrolled students at the University of Utah. Faculty, staff, and community members may participate in the organization, but club leadership must consist of all currently enrolled students at the university.

## 2. Tryouts

- a. The primary tryout period will be held during the first two weeks of both the Fall and Spring semesters. Additional two-week tryout periods may be held throughout the season, should an individual want to join at a later time. During this time, prospective members interested in joining the Club may participate in all Club practices and official activities.
  - i. All prospective members will be required to participate in the tryout process during the Fall semester regardless of any previous affiliation with the Club.
  - ii. Prospective members will be required to tryout once per season.
  - iii. Executive Board members will carefully observe and interact with prospective members in order to make an honest and fair judgment of their character and to objectively determine their eligibility for the Club based on the criteria set forth below.
  - iv. Club coaches (if applicable) may be asked to advise the Executive Board throughout these determinations of member eligibility.
- b. Prospective members will be evaluated on the following criteria:
  - i. Attendance:
    - 1. Athlete must attend at least two practices (equivalent 3 hours) in a two-week period. Team activity can take place for a practice.
  - ii. Mutual Respect:
    - 1. Athlete must show respect towards the Utah Club Swim community.
  - iii. Work Ethic:
    - 1. Individuals must demonstrate a good work ethic. Swimmers will not be assessed based on athletic ability, rather their willingness to put effort into practice.
  - iv. Team Spirit:
    - 1. Athlete fosters a positive practice environment. Shows support for other teammates during practice and meets.

## 3. Appeals

- a. If a prospective member is determined to be ineligible to join the Club based on the objective criteria detailed above, they may appeal to the Executive Board to reexamine their eligibility.
    - i. The Executive Board shall reexamine the prospective member’s eligibility only if they present to the Board a valid extenuating circumstance, which may include, but is not necessarily limited to, severe illness throughout the tryout period.
    - ii. The eligibility of a prospective member may be reclassified only if five (5) of the seven (7) Executive Board members agree to the reclassification.
  - b. All prospective members found to be ineligible may try out for the Club in the following semester if:
    - i. They continue to meet the requirements established in Article III (“Membership”) and;
    - ii. They are not barred from the Club for reasons established in Article IV Section 3 (“Disciplinary Action”).
  - c. Ineligible members who try out for the Club in a subsequent semester will be classified as previously affiliated members.
    - i. The athlete’s previous standings with the team may affect their renewal of the active roster of the Club in any following season.
4. Callbacks
- a. Once the tryout period has concluded and all athletes have been notified of their status on the roster, a one-week callback period will begin. All athletes who meet the minimum requirements for membership established in Article III Section 1 (“Tryouts”) will be invited to continue training with the team as before.
  - b. At this point, team dues and forms will be made available to athletes, and they will have the remainder of the week to complete these items. In order to be considered an active member, individuals must:
    - i. Submit a Release of Liability and Proof of Insurance Form to CRS prior to practicing, and;
    - ii. Sign the club registration document acknowledging they have read and understand the Club’s constitution, and;
    - iii. Pay the first installment of team dues.
5. Active Membership
- a. In order to maintain active membership, all athletes must follow the guidelines set forth in Article IV (“Expectations”).
6. Non-Discrimination Statement
- a. This organization shall not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity/expression, age, or status as an individual with a disability, or as a protected veteran, and any other status protected by applicable state or federal law. (University of Utah, Policy 6-400, Section II-E).
  - b. Additionally, the Club endeavors to provide reasonable accommodations and to ensure equal access to qualified persons with disabilities. Inquiries concerning

perceived discrimination or requests for disability accommodations may be referred to the Club President.

## **ARTICLE IV – EXPECTATIONS**

### **1. Code of Conduct**

- a. Athletes are, at all times, expected to be good representatives of the University of Utah and of the Club. Individuals will be held to the same expectations as during tryouts for the remainder of the season. This includes adhering to our core value, which are:
  - i. Mutual Respect
  - ii. Work Ethic
  - iii. Team Spirit
- b. Failure to adhere to the core values at any point in the season may result in disciplinary action.
- c. The use and/or purchase of alcoholic beverages and non-prescription drugs at any official Club activities is strictly prohibited to all members, including those over the legal age of consumption. Doing so will result in immediate removal from the roster and all Club activities henceforth.
- d. Official Club activities include:
  - i. Practices
  - ii. Competitions (including the entire duration of travel competitions)
  - iii. Service Projects
  - iv. Social events administered by the Executive Board
  - v. Fundraisers
  - vi. Executive Board Meetings
  - vii. Committee Meetings
  - viii. Any activity deemed a Team or Club activity
  - ix. Any activity detailed in official Club communications, such as email and text reminders.

### **2. Disciplinary Action**

- a. The Club implements a “three strike” process for disciplinary actions. Any breach of conduct can incur a “strike” as determined by the President and one other officer (ideally, one who was present at the incident). All breaches of conduct and strikes will be recorded by the secretary.
  - i. Strike 1. First breach of conduct: Results in a formal oral warning from the President and/or Vice-President of the Club.
  - ii. Strike 2. Second breach of conduct: Results in a minimum two-week suspension from the Club and all of its associated practices, meets, and events, along with another oral warning.
  - iii. Strike 3. Third breach of conduct: Offender will be removed from the roster and will no longer be associated with the team. If an individual wishes to be reinstated, they may present an oral appeal to the Executive Board.

1. If an individual's actions are in blatant violation of the core values of the team or the University of Utah, Officers may remove the individual from the team without prior breach of conduct.
2. Reinstatement to the team will require oral appeal and a five-sevenths majority vote from the Executive Board.
  - a. The Officers will work with the individual in question to find a suitable time and date for the appeal. If, for any reason, the individual does not attend the agreed upon appointment, they will be allowed to select a mutually agreed upon alternative time for the appeal.
  - b. If, for any reason, the second appointment is not made the individual must wait until August of the following year.
3. If an athlete should be reinstated to the team after suspension and appeal, they will be kept in a probationary period that allots them one remaining strike.
  - a. These two strikes may be removed, per Officer discretion, at a later time.
4. The Constitution must be provided in the registration form. All members must confirm in writing that they have read and agreed to follow the constitution when registering for Utah Club Swimming.
5. Athletic Performance
  - a. The Club has no expectations for its members as far as performance in competition is concerned. We welcome members of all abilities and interest levels and will never exercise the right to remove an individual from the roster based in their athletic skills.
6. Financial Cases
  - a. In some cases, the Club will provide a certain amount of financial support to its member athletes (e.g., the Club may cover all athletes' meet entry fees). In these situations, it is not only an expectation but a requirement that the athlete(s) fulfill the purpose for which they were given funding. If the athlete fails to complete that task (e.g., the athlete fails to attend a meet for which they were funded), the treasurer reserves the right to levy fines against the athlete in an amount less than or equal to the amount which they were provided in Club funds. Extenuating circumstances may apply.
7. Attendance
  - a. Practices
    - i. The Club requires all of its members to attend at least one practice per week (or, the time equivalent of one full practice).
      1. A team activity may take place of a practice requirement, in the event of a practice cancellation of other extenuating circumstances at the discretion of the Board.

- ii. Personal extenuating circumstances, such as illness or family emergency, may excuse an athlete from their attendance requirements. All excusal requests must be submitted to the Executive Board prior to the last practice of the week.
  - iii. If an athlete fails to meet the attendance requirement for any given week, they will be placed on temporary probation during which they cannot participate in any Club activities (apart from practice). This probation will be lifted at the end of the next week in which they satisfy the attendance requirement.
  - iv. If an athlete is placed on attendance probation for a total of three consecutive or non-consecutive weeks during any semester, they will be removed from the roster.
  - v. For each semester, every athlete will be granted one “Grace Week” during which they can fall below the attendance requirement without penalty. The Grace Week will be automatically applied if an athlete falls below the requirement and does not state that they wish to do otherwise.
- b. Meets
  - i. All athletes are eligible to compete in meets, provide they have active status and are not on probation at the time of the competition.
  - ii. All Club members are expected to be an active participant in any home meets hosted by the Club. If members do not wish to compete as an athlete, they may volunteer to help with the setup and administration of the meet.
- c. Mandatory Activities
  - i. In some cases, the Executive Board may elect to make certain activities mandatory. These activities include events such as service projects, philanthropy projects, and fundraisers. Athletes will be notified of mandatory events (including time and date) at least one month prior so they can make arrangements.
  - ii. If an athlete is unable to attend an event, an excusal request must be submitted to the Executive Board at least two weeks prior to the event. Extenuating circumstances, such as illness or family emergency, may also excuse an athlete from mandatory activities. Athletes may be asked to make up the activity at a later date.

## **ARTICLE V – MEETING**

### **1. Practices**

- a. Practice times will occur as per the schedule determined by the Executive Board at the start of each semester. Athletes will be informed of practice times upon joining.
- b. Practice times are dependent upon when CRS can secure facilities for the team, or when pool rentals are available within a reasonable geographic area. Also dependent upon CRS, the season will run from approximately the beginning of September to the end of July.

2. Executive Board Meetings
  - a. Executive board meetings will occur on a weekly basis, at a time determined by the board at the start of the season.
  - b. A minimum four (4) of seven (7) board members must be present for a meeting to take place.
3. Committee Meetings
  - a. Committee meetings will occur at the discretion of their respective Officer, provided ample notification is given.
4. Special Meetings
  - a. Special meetings may be called by the Executive Board, provided they give the Club ample notice.

#### **ARTICLE VI – EXECUTIVE BOARD**

1. In the event of Co-Presidency, hereafter ‘President’ will refer to both individuals serving as Co-Presidents.
2. In the event of a vote by the Executive Board members in which there are Co-Presidents, a five (5) out of seven (7) vote will be instituted, and the Co-Presidents must agree on the same vote.
3. The Executive Board will consist of the following members:
  - a. President
  - b. Vice-President
  - c. Treasurer
  - d. Secretary
  - e. Marketing Director
  - f. Women’s Team Captain
  - g. Men’s Team Captain
4. General Expectations
  - a. Officers must communicate with their fellow Board members in a timely and effective manner, so as to accomplish their duties.
  - b. Each officer must take part in staffing workouts when a coach is unavailable/has not been appointed.
  - c. Officers will represent the Club to the best of their ability and promote its success through their actions.
5. Attendance
  - a. Officers must attend all weekly meetings at a time specified at the beginning of each semester.
    - i. Officers will only be excused from meetings if they have a reasonable purpose for doing so.
    - ii. If an officer is unable to attend a meeting, they are expected to either submit an officer report detailing their progress on assignments or phone into the meeting.



- b. In order to be effective team leaders, officers must attend a minimum of two (2) practices each week OR one (1) practice and one (1) meet during weeks where meets are held. The same rules detailed in the athlete attendance policies (Article IV, Section 5a), including the Grace Week and probation policy, shall apply to the officer attendance requirement.
6. The duties of each officer will be as follows:
- a. President/Co-President
    - i. Head facilitator of the Club. It is their given duty to assist the officers with whatever tasks are given, and ensure the organization is achieving progress.
    - ii. Serve as a liaison between the Club and CRS professional staff.
    - iii. Ensure that all CRS and constitutional policies and procedures are implemented and enforced.
    - iv. Inform Club members of the policies and procedures outlined in the Sport Club Manual.
    - v. Furnish copies of facility requests for all meets, meetings, and practices to the CRS office.
    - vi. Submit required travel forms in a timely manner.
    - vii. Submit all Risk and Insurance Management forms in a timely manner.
    - viii. If applicable, submit Advisors Agreement and Coaches Agreement to the CRS office before the start of the season and/or once individuals have been identified.
    - ix. Respond to all communications from the CRS Staff.
    - x. Schedule a semester-end meeting with the Sport Club Coordinator to evaluate the previous season and review goals for the next season.
    - xi. Ensure that elections are conducted as per Club bylaws.
    - xii. Responsible for all internal Club communication and must ensure the Club is well-informed of upcoming events.
    - xiii. Responsible for the decisions involving Club apparel.
    - xiv. Maintain active relations with other clubs, in order to secure competition opportunities and promote the well-being of collegiate club swimming.
    - xv. Serve as the Club's representative on the Sport Club Executive Council.
    - xvi. Maintain the Club's team email.
    - xvii. In the event of a co-presidency, create a written record to determine the division of responsibilities.
    - xviii. Coordinate all communications and provide regular updates to Club advisors.
  - b. Vice-President
    - i. Research upcoming meets and create a competition schedule to submit to Campus Recreation.
    - ii. Manage Club Registration for meets.
    - iii. Obtain results of competitions and submit them to CRS.
    - iv. Coordinate home meets and invitationals, including facility reservations, outreach to visiting teams, and other logistical preparation.

1. This may also entail any tasks related to running the meet timing systems, including Meet/Team Manager.
  2. For larger meets, the Club may choose to appoint a professional meet manager.
- v. Manage and maintain the team's relationship with the primary swimming sponsor.
  - vi. Assist the President with any tasks they are unable to complete.
  - vii. Take up additional responsibilities as needed, especially if a Meet Director is appointed.
  - viii. The Vice President may appoint a Meet Director at their own discretion to provide any or all the following services:
    - a. Research upcoming meets and create a competition schedule to be approved by the UUCS board and submitted to Campus Recreation
    - b. Coordinate home and away meets, outreach to visiting teams, obtaining official sanctions
      - i. This will entail any tasks related to running the meet timing systems, including Meet/Team Manager. For larger meets, the Club may choose to appoint a professional meet director.
    - c. Keep track of all swimmer's times and team records. Send updates to the Marketing Director to update the team website.
    - d. Create draft(s) of Regionals and Nationals Relays from best times throughout the season to be approved or altered by the Executive Board.
    - e. Obtain results of competitions and submit them to CCS.
    - f. Manage Club Registration for meets.

The Vice President has the responsibility for the completion of the Meet Director's responsibilities should they fail to complete them, they are not included in their agreement, or no Meet Director is appointed.

It is highly encouraged that the Meet Director (or Vice President if no Meet Director is appointed) shadow a full swim meet, including the setup, running, and takedown of the Colorado Timing System, setup of the meet in Meet Manager and the process of pulling times and scoring the meet.

A compensation plan may be put in place for this position should they be appointed and accept the position. This plan may include financial compensation for their work, a waiving of dues or fees to be on the team, or team gear or apparel, including specific Meet Director gear or apparel. This contract must be signed and approved by the Vice President, the Treasurer, and the appointee.

- ix. Work with the Treasurer to manage all operations pertaining to obtaining and maintaining swimming specific financial sponsors for the team. Specific tasks include writing letters to potential sponsors, negotiating sponsorship rewards, and ensuring sponsors are properly recognized for their services to the team.
  - x. Assist the President with any tasks she/he is unable to complete.
- c. Treasurer
- i. Prepare and maintain the Club's yearly budget.
  - ii. Determine membership dues at the start of the season.
  - iii. Collect and deposit dues and all other fees that may arise throughout the year.
  - iv. Work with the Vice-President to manage all operations pertaining to obtaining and maintaining financial sponsors for the team. Specific tasks include writing letters to potential sponsors, negotiating sponsorship rewards, and ensuring sponsors are properly recognized for their services to the team.
  - v. Ensure athletes have paid all applicable fees.
  - vi. Pick up monthly bank statements.
  - vii. Keep accurate and up-to-date records of the Club's finances
  - viii. Forecast the costs necessary to travel to Nationals and other away meets.
  - ix. Ensure that the Club stays within its budget.
  - x. Prepare ASUU budget bills with an assembly representative.
  - xi. Submit reimbursements and receipts to ASUU.
  - xii. Submit Budget Request Forms to ASUU.
  - xiii. Coordinate at least two club fundraisers per semester.
  - xiv. Draft, finalize, and manage coaching contracts.
  - xv. Maintain the club's non-profit status.
  - xvi. Any additional financial duties that may arise.
- d. Secretary
- i. Draft agendas for weekly meetings, and ensure meetings are run smoothly.
  - ii. Take notes during meetings and make notes accessible to other officers.
  - iii. Delegate tasks to their respective officers at the end of each meeting and manage the Board to ensure tasks are completed.
  - iv. Update the Club's constitution when applicable.
  - v. Maintain a record of strikes and disciplinary actions.
  - vi. Maintain the Club's team email.
  - vii. Work with CRS to maintain RSO storage.
  - viii. Maintain records of attendance and enforce the team attendance policy.
  - ix. Assist the Board with any business needing to be accomplished.
  - x. Fulfill the duties of the Club's Safety Officer, as mandated by CRS. The duties are as follows:

1. Ensure that any club member driving a vehicle with passengers while on a club trip has the University Defensive Driving Certification.
  2. Maintain emergency contact information for each club member and all coaches/affiliates.
  3. Fill out the Incident Report Form anytime there is an injury during a club activity.
  4. Pick up the Travel Binder prior to each trip out of town.
  5. Work with the Athletic Trainers to bring a first aid bag to away meets with supplies for injuries if no trainer is accompanying the team on the trip.
  6. Be CPR/AED Certified (CRS can certify individuals that are not already certified)
- e. Marketing Director
- i. Direct all activities related to the promotion and public image of the Club.
  - ii. Manage the Club's Media Team and use the skills of its members to promote the Club.
  - iii. Determine the staff positions and responsibilities for the Media Team and select the individuals to fill them.
  - iv. Update the Club records and "best times" page found on the website whenever applicable.
  - v. Responsible for the decisions involving Club apparel.
  - vi. Direct weekly Media Team meetings, if necessary.
  - vii. Draft agendas and take notes for Media Team meetings, if necessary.
  - viii. Manage the team's alumni connections and keep them involved in the community.
  - ix. The marketing director is in charge of announcing the gear design contest. The gear design contest is to remain open for up to one week.
    1. The marketing director will then select up to 5 designs for the Executive Board to vote on for official team gear.
  - x. Work with the Treasurer to manage all operations pertaining to obtaining and maintaining financial sponsors for the team. Specific tasks include writing letters to potential sponsors, negotiating sponsorship rewards, and ensuring sponsors are properly recognized for their services to the team.
  - xi. Perform any necessary responsibilities not currently fulfilled by a Media Team member.
- f. Women's Team Captain
- i. Serve as the primary advocate for the swim team and the rest of the Executive Board.
  - ii. Plan and coordinate Club social events.
  - iii. Plan and coordinate Club service projects.
  - iv. Plan and coordinate the annual team banquet.
  - v. Responsible for the decisions involving Club apparel.

- vi. Oversee all duties pertinent to the recruitment of new athletes.
  - vii. Promote team unity through whatever resources available.
  - viii. Be an exemplary athlete in practice and competition.
  - ix. Assist the Board with any business needing to be accomplished.
  - x. Work with the Men's Team Captain on all duties.
- g. Men's Team Captain
- i. Serve as the primary advocate for the swim team and the rest of the Executive Board.
  - ii. Plan and coordinate Club social events.
  - iii. Plan and coordinate Club service projects.
  - iv. Plan and coordinate the annual team banquet.
  - v. Responsible for the decisions involving Club apparel.
  - vi. Oversee all duties pertinent to the recruitment of new athletes.
  - vii. Promote team unity through whatever resources available.
  - viii. Be an exemplary athlete in practice and competition.
  - ix. Assist the Board with any business needing to be accomplished.
  - x. Work with the Women's Team Captain on all duties

## **ARTICLE VIII - ELECTIONS**

### **1. Candidacy**

- a. Elections for each season will take place at the end of the spring semester prior to the following season. Any athlete who pays team dues and is considered an active member of the team is eligible to run.
- b. Every candidate must participate in an interview with the current board to determine in they are aware of the responsibilities and to confirm their candidacy for their position. Candidates must confirm their position at least a week before the banquet, they may not change once declared.
- c. There is no set limit to the number of candidates who can run for a certain position; however, if the volume of candidates presents to be too large, a limit can be set at the Officers' discretion. In the case that a limit is set, the interview process will serve as a point of decision.
- d. For the position of President, any individual wishing to run must have served on the Executive Board in the season prior to the one they are running for.

### **2. Election Day**

- a. Elections are typically held at the end-of-year banquet.
- b. All candidates must prepare and deliver a speech. Speech length and length of question period will be based on the discretion of the current Executive Board, depending on the number of candidates.
- c. The positions of Vice-President, Treasurer, Secretary, Marketing Director, Men's and Women's Team Captain are to be decided by a popular vote among the roster of active members.
- d. In the event of a tie between candidates of the same position, the incumbent board will vote to break the tie
- e. The position of President/Co-Presidents will be decided by three votes:

- i. The roster of active swimmers
    - ii. The incumbent President/Co-Presidents
    - iii. If the previous two votes disagree, the previous year's Executive Board will vote on the candidates and serve as a tiebreaker. Whichever candidate receives the majority of the Executive Board's vote will be elected.
  - f. Candidates running for co-president must agree beforehand to run as one candidate
  - g. A candidate must indicate whether or not they will be able to attend the end of year banquet where officer elections will take place.
    - i. With prior notice, a candidate may send in a video or transcript of their prepared speech if they are unable to attend the elections.
  - h. In the event of unforeseen circumstances, and the candidate is absent, they must express their explicit interest in the position. If they show no interest, the position will be reopened to the rest of the team.
  - i. If there are multiple swimmers running for a position and one or more are absent, a two thirds majority for the candidate present will elect them.
3. Job Shadowing
- a. Candidates are to be notified of the results of the elections within 24 hours of the popular vote. Once the new Executive Board has been elected, it is their duty to begin learning the responsibilities of their job from the officer preceding them. It is expected that the Executive Board work through the summer season to learn their position and plan for the fall semester.
  - b. For a team member to be eligible to run for an Executive Board position they must have shadowed the position they are running for at least two times prior to the election. Shadowing can be defined as:
    - i. Expressly contacting the sitting position holder to set aside a specific time to observe and/or participate in the duties of that position.
    - ii. Attending a board meeting and expressing which position they are there to observe.
    - iii. Any other activity that the sitting board member deems as adequate to meet the shadowing requirement.
    - iv. All eligible members are to be given ample notice if a shadowing position opens up, and every member will be given an equal opportunity to shadow.
  - c. The definition of shadowing is up to the discretion of the Executive Board. The Executive Board reserves the right to approve or deny candidates based on effort put forward to learn about the position they are running for.
  - d. For the position of President, it is an expectation that all interested candidates begin shadowing in the fall preceding the election, in order to fully understand the responsibility of the President.
4. Non-Completion of Term

- a. If, for whatever reason, an officer is unable to continue their term, ample notice must be given to the Executive Board so arrangements can be made for a new appointment.
- b. If an Executive Board member cannot complete their full designated term, they must provide a two-week notice before resignation.
  - i. After an official resignation notice is received, the Executive Board will hold a mid-season election for the open position.
  - ii. The election must follow the same guidelines as regular elections, with the exception of virtual voting and written election speeches.
- c. If an officer fails to complete their assigned term, any compensations they are receiving for their service may be revoked accordingly (e.g. official polos). Extenuating circumstances may apply.
- d. This organization agrees to provide a clearly defined outline of the process for removing officers, including a statement explaining why an officer may be removed.

5. Officer Removal

- a. Grounds for removal include inadequate fulfillment of aforementioned duties or the violation of regulations described by University policies or any federal, state, or local laws.

**ARTICLE IX – COACHES**

- 1. Coaches must participate in at least one interview with the entire Executive Board in order to be considered for appointment. Additional interviews may be scheduled at the discretion of the officers. Coaches must represent the best interest of the team and be understanding of the athletes’ schedules, as well as provide a supportive yet challenging atmosphere. A five (5) out of seven (7) vote of the officers is required to appoint a coach.
  - a. Note that coaches have no executive power in the club. Apart from their coaching duties, they serve to give advice to the current officers about matters pertaining to the club.
  - b. Grounds for removal include the inadequate fulfillment of aforementioned duties and or the violations of regulations described by University policies or any federal, state, or local laws.
- 2. The contract titled “Coaching Agreement” will be required of each coach hired by the Executive Board. The “Coaching Agreement” will be managed solely by the Treasurer. “Coach” can refer to either one coach or multiple coaches as determined by the needs of the team, the budget of the Treasurer and the Executive Board.
- 3. At the beginning of the term of a coach selected by the Executive Board, a contract will be entered in between the Executive Board and the selected coach. The contract will be

written, finalized and managed by the Treasurer. The following terms will be in each contract regardless of the time served, length of the season or ability of the coach.

- a. The rate of payment per practice will be set at a static dollar amount as determined in the budget by the Treasurer.
  - i. E.g., \$20 per practice coached in full.
- b. The rate of payment per meet will be set at a static dollar amount as determined in the budget by the Treasurer.
  - i. E.g., \$25 per meet attended in full.
- c. A reasonable amount of effort, time, communication and dedication to the team and coaching responsibilities will be expected to receive the full amount payable at the end of the contract.
- d. All terms within the contract are subject to the discretion and best knowledge of the Treasurer, and subsequently, the sitting Executive Board. The Treasurer reserves the right to change, update, modify or cancel the contract and its contents with majority vote from the Executive Board.
  - i. The updated contract will be given to the coach for reapproval. In the event of a disagreement on the updated contract between the Executive Board and the coach, a board meeting will be held to come to a resolution, whether that is termination of the contract, further updates or any other change.

The decision of funding the coaches travel with the team to meets throughout the season will be up to the discretion of the Treasurer in accordance with the budget, number of coaches and number of meets. Financial and physical accommodations for flights, gas, food, lodging and time will be up to the discretion of the Treasurer in accordance with the budget, number of coaches and number of meets.

A previous coaching agreement will be provided as a template and reference to the current Treasurer.

#### **ARTICLE X – ADVISORS**

4. Advisors must represent the best interests of the Club and be knowledgeable in the sport of swimming to give specific advice. A five (5) out of seven (7) vote of the officers is required to appoint an advisor.
  - a. Note that advisors have no executive power in the club. Apart from their advising duties, they serve to give advice to the current officers about matters pertaining to the club.
  - b. Grounds for removal include the inadequate fulfillment of aforementioned duties and or the violations of regulations described by University policies or any federal, state, or local laws.



- c. This organization agrees to provide clearly a defined outline of the process for removing advisors, including this statement explaining why an advisor may be removed (e.g., inadequate fulfillment of duties, violation of laws or regulations, etc.).

#### **ARTICLE XI – AFFILIATES**

- 5. Affiliates must represent the best interests of the Club and be knowledgeable in the sport of swimming to give specific advice. A five (5) out of seven (7) vote of the officers is required to appoint an affiliate.
  - a. Note that affiliates have no executive power in the club. Apart from their duties, they serve to give advice to the current officers about matters pertaining to the club.
  - b. Grounds for removal include the inadequate fulfillment of aforementioned duties and or the violations of regulations described by University policies or any federal, state, or local laws.

#### **ARTICLE XII – FUNDS**

- 6. Provisions Made by Team Dues
  - a. By paying team dues, each athlete receives a team shirt and team cap, so that they may represent the team in and out of the water.
  - b. Dues also guarantee entrance to every practice and team activity, provided the athlete pays dues as listed in the registration forms. If an athlete requests accommodations with the team treasurer, some practices and activities may be exempted on a case-by-case basis.
- 7. Optional Items
  - a. Additional apparel items such as team suits and warm-ups will be made available to purchase.
  - b. Any costs pertaining to competition (e.g. lodging, airline, meet entry fees) will be paid by the individual.
- 8. Budget Appropriations
  - a. Each year, the Treasurer makes allocations from the team budget to serve different purposes. Current allocations are made for:
    - i. Advertising
    - ii. Pool Rental
    - iii. Administrative Fees
    - iv. Team Activities
    - v. Other categories as seen fit by the Treasurer
  - b. This organization agrees to practice fiscal responsibility and manage club funds in ways that are ethical, transparent, and compliant with state and federal law as well as University policy where applicable.
- 7. Non-Profit Status

To maintain nonprofit status, the treasurer must complete the following tasks in a timely manner. Assistance from the President may be needed to fill out required forms.

- a. Must keep a detailed record throughout the season of all expenses, donations, income, receipts, etc to prove validity when filing 990 each year

- b. Renew Nonprofit with the Utah Department of Commercial Code (must be done every spring)
- c. File 990 Tax Form for the previous year (must be done every tax season)
- d. Update tax deductible receipt as needed
- e. Add the completed 990 Form for that year to the team website (this must be available for public access at all times)

### **ARTICLE XIII – RELAY AGREEMENT**

1. The selection procedure for National and Regional Relay Teams are as follows:
2. The athletic performance of the swimmer, specifically in their best times set throughout the season are the primary method of forming Nationals relays, except for extenuating circumstances to be determined by the Executive Board according to the provided guidelines. The goal is to obtain the fastest possible relay with the available swimmers. For a swimmer to be given a place on a National relay team they must either:
  - a. Swim the individual version of their leg of the relay in a meet, and gain an official time.
  - b. Swim a relay leg that is equivalent to the desired relay leg in a meet and obtain an official time. This requires that all swimmers who wish to use their relay legs for Nationals relay qualifying times must maintain their designated relay order for all meets throughout the season, otherwise all of their relay times must be removed from consideration. All swimmers applying for relays they wish to participate in must indicate whether they maintained this standard
  - c. Swim a time trial for the relay leg they wish to compete in, in which at least one board member was present, at a pool sanctioned by CCS, within 6 months of the start of the Nationals meet.
1. Should there be significant extenuating circumstances as to why the fastest available times may not be the best representation of the team at a Nationals meet, the Executive Board may alter the relays to better represent the values and goals of the team. Any of these changes, or lack thereof may be appealed by a swimmer within 24 hours of the official relay announcement, but the Executive Board reserves the right to make any final decisions as to the makeup of the Nationals relays.
2. It is required that a swimmer wishing to participate in a Nationals relay must attend a minimum of 4 practices per month in the semester of the Nationals Meet. If a swimmer fails to meet this requirement, they must submit an appeal to the Executive Board before the deadline for individual relay preferences for them to be considered.

- a. The Executive Board reserves the right to accept or reject this appeal depending on the significance and relevance of the extenuating circumstances as well as other case-specific details.
3. The relays must be approved by all swimmers who were placed on a relay. Should a swimmer wish to pull out of a relay after being selected, they may choose to withdraw, and the relay selection of that relay will be redone and must be reapproved.
  - a. There are instances where a swimmer pulling out of a medley relay may rearrange the entire relay, so any changes must then be approved by the Executive board and again given 24 hours to be appealed by the swimmers
4. If an Executive board member is being considered for a relay position, they must abstain from the vote over their consideration for that relay position.

#### **ARTICLE XIV – COMMITTEES**

1. A committee is a group of team members selected by the Executive Board; each Committee will be led by a team Officer. Committee members are expected to fulfill the responsibilities delegated to them by their leading Officer. Members are appointed at the end of each season and serve for the following season.
  - a. Appointment
    - i. Any individual who pays team dues and is considered an active member of the Club at the time of application may serve on a Committee. The Officer overseeing each committee will select team members to be on their committee. The method of selection (e.g. application, interview, etc.) is at the discretion of the Officer. Being on a committee is an official commitment, and members must be willing to serve for one whole year.
2. Social/Activity Committee
  - a. The Social/Activity committee is a group of up to five team members, led and directed by the Team Captains
  - b. Expectations
    - i. Committee members will strive to cultivate a positive and all-inclusive atmosphere at Official Team Events including, but not limited to, practices, meets and team activities.
    - ii. Members are expected to assist in the planning and promotion of team activities and events as described.
    - iii. Committee members will attend any necessary meeting as determined by the Team Captains.
    - iv. Committee members will also provide input and assist with outreach as directed by the Team Captains.
3. Meet Committee

- a. The meet committee is a group of up to five team members led and operated by the current Vice-President of the team.
  - b. Expectations
    - i. Committee members must communicate with their fellow team members and teams Vice-President in a timely and effective manner, so as to accomplish their duties.
    - ii. Members will attend any necessary meeting determined by the Vice-President.
    - iii. Represent the Club to the best of their ability and promote its success through their actions.
    - iv. Work directly with the team's Vice-President to organize and operate both home and travel meets.
    - v. Serve as advocates for competition-based practice and show a strong work ethic and commitment at meets and practices.
    - vi. Provide sponsorship input to the Vice-President.
4. Treasury Committee
- a. The treasury committee is a group of up to three team members led and operated by the current Treasurer of the team.
  - b. Expectations
    - i. Members of the committee are expected to carry out any duties as directed by the Treasurer.
5. Media Committee
- a. Members of the Media Committee must show some skill in their respective field. In some cases, the Marketing Director may elect to fill Media Committee positions with individuals not currently on the team roster, depending on availability of positions and the qualifications of the individual. The Marketing Director may also fill one or more of these roles if she/he is qualified in the position.
  - b. Currently, the Media Team will consist of the positions listed below. Please note that the Marketing Director reserves the right to add or remove positions at any time.
    - i. Graphic Designer
    - ii. Photographer
    - iii. Social Media Correspondent
    - iv. Videographer
    - v. Website Administrator
  - c. Expectations
    - i. Communicate with their fellow Team members and the Marketing Director in a timely and effective manner, so as to accomplish their duties.
    - ii. Attend necessary meetings determined by the Marketing Director.
    - iii. Represent the Club to the best of their ability and strive to promote its success through improving the public image of the team.

**ARTICLE XIV – AFFILIATIONS**

1. The Club will be registered with US Masters Swimming and College Club Swimming for competition.
2. For other competitions, the Club may compete with the California Intercollegiate Swim Club Association, or other collegiate club teams.
3. Championship meets will be held with the Collegiate Club Swim and Dive National Championships.

#### **ARTICLE XV – RATIFICATION**

1. Members will ratify the Club’s constitution when they register for the Club. By signing our registration document, members acknowledge that they have read our constitution and accept its terms.

#### **ARTICLE XVI – AMENDMENTS**

1. An amendment can be proposed either by a 3/4 vote among the body of active members, or by a five (5) out of seven (7) vote among the current officers.
2. Amendments are ratified by a five (5) out of seven (7) vote among officers and ratified by Club members when they sign the constitution at the beginning of each season. New amendments only apply prospectively, i.e. the only laws that affect current members are the laws that they signed at the beginning of each new season.
3. Amendments to the Constitution must be submitted to and approved by the Department of Student Leadership & Involvement before they become effective.
4. This organization agrees to submit their constitution for approval by the department of Student Leadership & Involvement as part of the annual re-registration process.

#### **ARTICLE XVII – BYLAWS**

1. Athletes are not required to be familiar with the bylaws of our various affiliations: rather, they are meant to serve as a reference.
  - a. U.S. Masters Swimming Rules: <http://www.usms.org/rules/>
  - b. University of Utah Student Code: <http://regulations.utah.edu/academics/6-400.php>

#### **ARTICLE XVIII – GRIEVANCE POLICIES**

1. Officer Grievances
  - a. If an officer is found to be uncommitted, untrustworthy, unreliable, or otherwise incapable of performing their duties as outlined in the constitution, a hearing will be held with the other members of the Executive Board.
  - b. If the Executive Board finds, by means of five (5) out of seven (7) vote, that the officer in question is unable to perform their duties, that officer will be placed on probation for a set period to be determined by the Executive Board.
  - c. If, at the end of any such probationary period, the officer in question is deemed incapable of performing their duties, that officer can be removed from their position by means of a unanimous vote of the Executive Board. The responsibilities of that position will subsequently split between the remaining officers until a suitable replacement can be appointed.
2. Individual Grievances

- a. If a member has a grievance with another member, they must report it to the Executive Board. The Executive Board will then hold a hearing with the individuals in question and determine if there is a party at fault.
  - b. If a party is found to be at fault, then they may be placed on probation, suspended from the team, or reported to the Dean of Students office, depending on the severity of the misconduct.
3. Coach Grievance
- a. If a member has a grievance with a coach, they must report it to the Executive Board. The Executive Board will then hold a hearing with the individuals in question and determine if there is a party at fault.
  - b. If a party is found to be at fault, then they may be placed on probation, suspended from the team, or reported to the Dean of Students office, depending on the severity of the misconduct.

The Constitution must be provided in the registration form. All members must confirm that they have read and agreed to the constitution when registering for the Utah Club Swimming.

Amended:  
 06/05/2019  
 06/20/2020  
 06/21/2021  
 05/09/2022  
 04/30/2023

Executive Board Signatures:



Tanner Guderian, President 4/30/2023



Bailey Donaldson, Women's Captain 08/30/2023



Cameron Wright, Treasurer 04/30/2023



Jonathan Wang, Marketing Director 8/30/2023



Darcy Conder, Secretary 8/30/2023



Jeila Bacon, Vice President 4/30/2023



Sean Farrenkopf, Men's Captain 4/30/2023