

1 **MIDDLE TENNESSEE HIGH SCHOOL**
2 **SWIMMING ASSOCIATION**
3 (MTHSSA)

4
5 **BYLAWS**
6 (rev. 09/2008)
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9 **ARTICLE I – Name**

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11 The name of the organization shall be Middle Tennessee High School Swimming Association
12 (MTHSSA).
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14 **ARTICLE II - Objectives**

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16 The objective of this organization shall be:

- 17 1. To govern the sport of high school swimming and diving within the designated Territory.
- 18 2. To assist in promoting amateur interscholastic swimming in the schools of the
19 Territory.
- 20 3. To maintain the highest possible educational, ethical, and physical standards for the
21 coach and the athlete.
- 22 4. To provide a clearing house of information for member schools and coaches.
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25 **ARTICLE III – Geographic Territory**

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27 The geographic territory of MTHSSA shall all counties east of the Tennessee River and west of
28 the Cumberland Plateau, including Cumberland County.
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30 **ARTICLE IV – Membership**

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32 Membership shall consist of one (1) representative or coach from a recognized high school

- 33 a. All public school grades 9 - 12
- 34 b. All tuition paying school grades K - 12, 7 - 12, or 8 - 12 where 9 - 12 is eligible
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36 **ARTICLE V – Dues & Fees**

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38 1. The Board of Directors shall establish the annual membership fees and any other charges,
39 fees, etc. for Members
- 40 2. Dues shall be per school and run from November 1 to October 31.
- 41 3. Rule Books shall be given to members in good standing not later than November 1.
- 42 4. Annual dues, team roster, and \$1.00 surcharge per swimmer/diver is due November 1.
- 43 5. If a swimmer/diver is added during the season, a fee of \$1.00 per athlete shall be
44 submitted to the MTHSSA Treasurer prior to participation in the Region Championships
- 45 6. Membership expires midnight October 31. Failure to renew before November 1 results in
46 a \$25.00 penalty.

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ARTICLE VI – Voice & Voting Rights of Members

1. Voice & Voting privileges shall be reserved for one coach or one representative per high school in good standing.
2. Each high school in good standing shall have one (1) vote
3. A representative or coach who represents multiple high schools shall have only one (1) vote.
4. Interested individuals who are not members of the MTHSSA may attend open meetings of the MTHSSA and its committees and be heard at the discretion of the presiding officer. Unless entitled to vote under another provision of these Bylaws, interested individuals shall have no vote in meetings of the MTHSSA.

ARTICLE VII – Duties & Powers of Members

1. The MTHSSA shall oversee the management of the affairs of the MTHSSA and the establishment of policies, procedures and programs. In addition to the duties and powers prescribed in these bylaws, the membership of the MTHSSA shall:
2. Elect officers to the Board of Directors
3. Elect the members of the Nominating Committee
4. Review, modify and adopt the annual budget of the MTHSSA recommended by the Board of Directors
5. Call regular meetings and special meetings of the MTHSSA membership
6. Ratify or prospectively modify or rescind policy and program established by the Board of Directors, except any action or authorization by the Board of Directors with respect to contracts or upon which any person may have relied shall not be modified or rescinded
7. Amend the Bylaws of MTHSSA in accordance with Article XXX.
8. Remove from office any Board Members, committee members or coordinators who have failed to attend to their official duties or member responsibilities or have done so improperly, or who would be subject to penalty by TSSAA, NFHS, or their respective high school. However, no Board Member or elected committee member or coordinator may be removed except upon not less than thirty (30) days written notice by the Secretary or other officer designated by the MTHSSA membership specifying the alleged deficiency in the performance or member responsibilities or specific official duties or other reason.

ARTICLE VIII – Annual & Regular Meetings

There will be two (2) scheduled meetings per year. A fall meeting held sometime prior to October 1 and a spring meeting to be held sometime prior to the end of April.

1. The Regular meeting shall be held in the fall and shall consist of the disbursement of coaches’ packets, discussion of the upcoming season, Federation rule changes, and State Championship Meet changes.
2. The Annual Meeting shall be held in the spring and shall consist of a review of the season, annual budget approval, election of new officers, and legislation.
3. The Board of Directors shall meet at least one time during the summer to discuss

93 legislation and make recommendations for the fall regular meeting

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95 **ARTICLE IX – Special Meetings**

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97 Special meetings of the membership of MTHSSA may be called by the Board of Directors or the
98 President. Should the Board of Directors or the President fail to call the annual or scheduled
99 regular meetings or should a special meeting be appropriate or helpful, a meeting of the
100 MTHSSA membership may be called by a petition *signed by at least 51% of the membership or*
101 *by a simple majority.*

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103 **ARTICLE X – Meeting Location & Time**

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105 All meetings of the MTHSSA membership shall take place at a site within the territory. The
106 membership or the Board of Directors shall determine the location and time of all meetings of
107 the membership.

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109 **ARTICLE XI – Nominating Committee**

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111 1. Members; Election –

112 The Nominating Committee shall comprise no fewer than five (5) school members in
113 good standing elected annually by the membership or by the Board of Directors if the
114 membership does not act in a timely fashion to serve until their successors are elected. A
115 number greater than five (5) may be designated from time to time by either the
116 membership or the Nominating Committee. Each Nominating Committee member shall
117 be a member of MTHSSA and no more than two (2, two-fifths if there are more than five
118 (5) members of the Nominating Committee) shall be Executive Committee members. If
119 any member of the Nominating Committee resigns or otherwise becomes unable to
120 participate in its affairs, the MTHSSA President, with the advice and consent of the
121 Board of Directors, shall appoint a successor to serve until the next meeting of the
122 membership.

123 2. Chairman Elected by Nominating Committee –

124 The Chairman of the Nominating Committee shall be elected annually by a majority vote
125 of the members of the Nominating Committee present at a meeting called promptly after
126 the members are elected or appointed.

127 3. Duties of the Nominating Committee –

128 A slate of candidates for election as the officers or committee chairmen or coordinators
129 specified in *Article XIX* and the regular and alternate members of the Review Committee
130 to be elected at the next annual meeting shall be prepared by the Nominating Committee.
131 The Nominating Committee may in its discretion nominate a slate of one person for each
132 position to be filled or may nominate more than one candidate for one or more of the
133 positions.

134 4. Publications of Nominations –

135 Nominations by the Nominating Committee shall be published by distributing a slate of
136 candidates together with the positions for which they have been nominated to each
137 member of MTHSSA not less than twenty (20) calendar days prior to the election. This
138 notice may be combined with the notice of the meeting pursuant to Article XVI where

- 139 convenient. See Article XVI for the methods, which may be used for distribution.
- 140 5. Additional Nominations –
- 141 Additional nominations may be made from the floor of the annual meeting by any
- 142 member eligible to vote.
- 143 6. Meetings & Notices –
- 144 Meetings of the Nominating Committee shall take place at a site within the state of
- 145 Tennessee when called by the Chairman or any three (3) members of the Committee with
- 146 a minimum ten (10) days notice required.
- 147 7. Quorum –
- 148 A quorum for any meeting of the Nominating Committee shall consist of not fewer than
- 149 four (4) members. The committee shall act by a majority vote of its members present and
- 150 voting in any meeting at which a quorum is present. If the Nominating Committee is
- 151 larger than five members, the quorum shall be adjusted to maintain the quorum at or
- 152 above 4/5 of the membership.

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154 **ARTICLE XII – Meetings Open; Executive Sessions**

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- 156 1. MTHSSA membership meetings shall be open to all members of MTHSSA and TISCA.
- 157 Issues pertaining to personnel, disciplinary action, legal, tax or similar affairs of
- 158 MTHSSA shall be deliberated and decided in a closed executive session that only
- 159 MTHSSA members may attend. *By a two-thirds (2/3) vote of membership present*
- 160 *membership may vote on a motion of a question of privilege, the MTHSSA membership*
- 161 *may decide to go into executive session on any matter deserving of confidential treatment*
- 162 *or of personal concern to any member.*
- 163 2. All meetings of the Nominating Committee shall be conducted in executive (closed)
- 164 session. Meetings of all other committees established by the MTHSSA membership shall
- 165 be open to all members of MTHSSA and TISCA unless otherwise provided by the
- 166 MTHSSA membership resolution creating the committee or by a vote of the committee
- 167 as provided by the rules of the Parliamentary Authority.
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169 **ARTICLE XIII – Quorum**

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171 A quorum of the MTHSSA membership shall consist of those members in good standing present

172 and voting.

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174 **ARTICLE XIV – Voting**

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176 Except as otherwise provided by these Bylaws or the Parliamentary Authority, all motions,

177 orders and other propositions coming before the MTHSSA membership shall be determined by a

178 majority vote. A motion or an order calling for the removal of a member of the Board of

179 Directors shall be determined by a two-thirds vote after at least thirty (30) days notice. See also

180 Article XXII regarding amendment of these Bylaws.

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182 Voting by proxy in any meeting of the MTHSSA membership shall not be permitted.

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184 **ARTICLE XV – Order of Business**

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186 At all meetings of the MTHSSA membership the following shall be included in the order of
187 business to the extent applicable. The order in which the various subjects are taken up may be
188 varied.
189 Roll Call
190 Reading, correction and adoption of minutes of previous meeting
191 Reports of Officers
192 Reports of Committees and Coordinators
193 Presentation and approval of the annual budget
194 Unfinished (old) business
195 Elections
196 New business
197 Resolutions and orders (legislation)
198 Adjournment

199
200 **ARTICLE XVI – Notices**
201

- 202 1. Time – not less than thirty (30) days written notice shall be given to each member of
203 MTHSSA for any annual, regular or special meeting of the membership.
204 2. Information – the notice of a meeting shall contain the time, date, and site. For special
205 meetings of the membership, the expected purpose (which may be general) shall be
206 stated. If an expected purpose is the amendment of the Bylaws, a copy of the proposed
207 amendment shall be included in the notice. Failure to have included in the notice any
208 germane amendments subsequently adopted by the MTHSSA membership at the noticed
209 meeting shall not be the basis for any claim that the amendments as so adopted are invalid.
210 3. Distribution Methods – Written Notices shall be distributed either by email from the
211 Secretary to the current distribution list and/or posted on the MTHSSA.net website.
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213 **ARTICLE XVII – Board of Directors**
214

215 The Board of Directors shall consist of the following officers, committee chairpersons,
216 coordinators and representatives of MTHSSA.
217

- 218 1. President
219 2. Administrative Vice-President
220 3. Secretary
221 4. Treasurer
222 5. One elected Representative from each of the designated Divisions
223

224 **ARTICLE XVIII – Duties & Powers**
225

226 The Board of Directors shall act for MTHSSA and the membership during the intervals between
227 meetings of the membership, subject to the exercise by the membership of its powers of
228 ratification or prospective modification or rescission, except that it shall not remove a Board
229 Member, a Review Committee member or any person elected by the membership or amend these
230 Bylaws. The Board of Directors shall have the power and it shall be its duty to:

- 231 1. Establish and direct policies, procedures and programs for MTHSSA

- 232 2. Establish the annual membership fees and any other charges, fees, etc. for members
233 3. Oversee the conduct by the officers of MTHSSA
234 4. Provide advice and consent to appointments proposed by the President that require advice
235 and consent under these Bylaws
236 5. Call regular or special meetings of the Board of Directors or the membership
237 6. Retain such independent contractors and employ such persons as the Board shall
238 determine are necessary or appropriate to conduct the affairs of MTHSSA
239

240 Executive Committee shall:

- 241 1. Have the authority and power to act for the Board of Directors and MTHSSA between
242 meetings of the Board and the annual and regular membership meetings.
243 2. Members shall be the President, who shall act as Chairman, Administrative Vice-
244 President, Secretary, Treasurer, and one (1) Division representative
245 3. Meetings shall be held at any time or place within the Territory when called by the
246 President or any three (3) members of the *Executive Board* with a minimum of three (3)
247 days notice required.
248 4. A Quorum shall consist of a majority of members of the Committee
249 5. Report of Action to Board of Directors shall be made since the last Board of Directors
250 meeting for ratification or prospective modification.
251

252 **ARTICLE XIX: Officers**

- 253
254 1. President
255 a. Shall be the elected representative from our region for TISCA purposes.
256 b. Shall serve a term of one year.
257 c. May serve consecutive terms.
258 d. Shall preside at all meetings
259 e. Shall serve on the Executive Committee
260 f. Shall be responsible to inform membership of any rules changes within the
261 Federation guidelines. (President should also be responsible to discuss any
262 pertinent rules with membership).
263
264 2. Administrative Vice-President
265 a. Shall assume the duties of President should the President be unable to fulfill his/her
266 duties.
267 b. Shall serve a term of one year.
268 c. May serve consecutive terms.
269 d. Shall serve on the Executive Committee
270
271 3. Secretary
272 a. Shall be responsible for taking minutes of all meetings (regular, special, Executive)
273 b. Shall handle all correspondence for Region activities including, but not limited to,
274 general meetings
275 c. Shall be responsible for sending minutes of annual and regular meetings to the
276 webmaster for posting on the Internet.
277 e. Shall serve on the Executive Committee

- 278 f. Shall serve a term of one year
- 279 g. May serve consecutive terms
- 280
- 281 4. Treasurer
- 282 a. Shall serve a term of one year
- 283 b. May serve consecutive terms
- 284 c. Shall be responsible for maintaining all records of income and expenses.
- 285 d. Shall establish budget for next fiscal year
- 286 e. Shall send out late notice to each high school team who has not renewed membership
- 287 with MTHSSA by the deadline indicated in the Bylaws
- 288 f. Shall collect all monies due/owed to the MTHSSA
- 289 g. Shall make all disbursements in conjunction with MTHSSA business
- 290 h. Shall keep a checking and/or savings account in the Region name in an accredited
- 291 institution
- 292 g. Shall receive team rosters with the appropriate surcharge
- 293 h. Shall inform MTHSSA President of ineligible athletes/teams prior to the Region
- 294 Championship meet entry deadline.
- 295 i. Shall serve on the Executive Committee
- 296
- 297 5. Divisional Representatives
- 298 a. Elected from each Division at the MTHSSA fall meeting (1 representative from each
- 299 Division)
- 300 b. May serve consecutive terms
- 301 c. Of the group of elected division representatives, one shall be elected to serve on the
- 302 Executive Committee
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305 **ARTICLE XX – Athlete Eligibility**

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 307 The MTHSSA shall follow the rules for athlete eligibility formerly set down by TSSAA with the
 308 following exceptions:

- 309 1. Athletes may compete if a member of USA Swimming
- 310 2. Home/School students are allowed to *join together to form a team and may be eligible for*
- 311 *full membership in MTHSSA. Home School Team may request membership in TISCA by*
- 312 *contacting the TISCA Review Committee Chairperson and will be considered based on*
- 313 *the following criteria:*
 - 314 a. *Home School Team must be sponsored by or operate under one of the seven*
 - 315 *chapters of the Tennessee Home Education Association (THEA), further identified*
 - 316 *in Middle Tennessee as Middle Tennessee Home Education Association (MTHEA)*
 - 317 b. *Athletes must be members in good standing of the THEA chapter representing*
 - 318 *their area. Each team will need to present a roster with membership verified by*
 - 319 *chapter on request.*
 - 320 c. *Athletes may only participate on a team within the THEA Chapter supporting*
 - 321 *their location and must join their team by November 1 of the current season. In*
 - 322 *the case where there are multiple Home School Teams in a THEA Chapter, the*
 - 323 *athlete may participate on any one, but only one, of these teams.*

- 324 d. *Swimmers must participate in at least two high school dual, tri or invitational*
 325 *meets with their team during the current season. Divers must be in compliance*
 326 *with MTHSSA diving rules under Article XXI.*
 327 e. *Athletes moving between a public/private school and a Home School Team will be*
 328 *considered a transfer and will be subject to the TISCA transfer procedure.*
 329 f. *The TISCA Board of Directors or Review Committee, will be solely responsible to*
 330 *determine whether a Home School Team meets the necessary criteria for joining*
 331 *TISCA and MTHSSA and verification of the team roster.*
 332 g. *Exceptions to any of the above rules may only be granted by the TISCA and*
 333 *MTHSSA Executive Committees.*
 334 3. Non-faculty members may act as coaches.
 335 4. Academic Rules
 336 a. The student shall have made a passing grade the preceding semester in the full
 337 curriculum subject units accepted by their school.
 338 b. Students shall be regularly enrolled, in regular attendance, and carrying at
 339 least the full unit subject load according to the school.
 340 c. A student who has participated in one meet shall be regarded as having swum one
 341 year.
 342 d. A student shall not swim for more than four (4) years while he or she is
 343 enrolled in high school (9-12).
 344 e. Any team who adds swimmers during the season or determines that any
 345 previously registered swimmers have become academically or otherwise
 346 ineligible must send an addendum list with appropriate fees to the MTHSSA
 347 Treasurer prior to January 15.
 348 5. Any swimmer/diver failing to be appropriately registered by the meet entry deadline
 349 of the Region Championship Meet shall be ineligible to compete in the Region
 350 Championships.
 351 6. Transfer Rules
 352 a. All transfers within the state shall follow the current TISCA guidelines
 353 b. Foreign Exchange students - must be in a foreign exchange program which has been
 354 approved by the Council on Standards for International Educational Travel (CSIET)
 355 c. All transfers shall apply to the TISCA Review Committee. Their decision is
 356 binding.
 357 7. Recruiting Rules - "Undue influence" - if the coach makes contact with the student or
 358 parent first, the coach is in error and should be reported to the Review Committee and
 359 reprimanded. If the student makes contact with the school and/or coach first, there is no
 360 violation.
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362 **ARTICLE XXI – Championship Meets**
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- 364 1. Championship Meets
 365 a. The Mid-State Region Championships may be held two (2) weeks prior
 366 to the State Championships.
 367 b. A "Last Chance Meet" may be held the week following the Mid-State Region Meet
 368 and prior to the meet entry deadline for the TISCA State Championship.
 369 c. Divers shall be required to complete two (2) meets of either 6 and/or 11 dives to be

370 eligible to compete in the MTHSSA Region Championships
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373 **ARTICLE XXII – Organization; Amendments; Dissolution**
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375 1. Non-Profit & Charitable Purposes

376 As stated in Article II, MTHSSA is organized exclusively for charitable and educational
377 purposes and for the purpose of fostering local, regional, and state amateur sports
378 competition within the meaning of section 501(c)(3) of the IRS Code. Notwithstanding
379 any other provision of these Bylaws, MTHSSA shall not, except to an insubstantial
380 degree, (1) engage in any activities or exercise any powers that are not in furtherance of
381 the purposes and objectives of MTHSSA or (2) engage in any activities not permitted to
382 be carried on by: (A) a corporation exempt from federal income tax under such section
383 501 (c)(3) of the IRS Code or (B) a corporation to which contributions, gifts and bequests
384 are deductible under sections 170(c)(2), 2055(a)(2) and 522(a)(2) of the IRS Code.
385

386 2. Dedication of Assets, Etc. (**TABLED**)

387 The revenues, properties and assets of MTHSSA are irrevocably dedicated to the
388 purposes set forth in Article II of these Bylaws. No part of the net earnings, properties or
389 assets of MTHSSA shall inure to the benefit of any private person or any member, officer
390 or director of MTHSA.
391

392 3. Amendments

393 Any provision of these Bylaws not mandated by NFSHSA or TISCA may be amended at
394 any meeting of the membership by a two-thirds (2/3) vote of the members present and
395 voting. These Bylaws shall be deemed amended thirty (30) days after the conclusion of
396 any annual meeting of the membership.
397

398 4. Dissolution

399 MTHSSA may be dissolved only upon a two-thirds majority vote of all the voting
400 members of MTHSSA. Upon dissolution, the net assets of MTHSSA shall not inure to
401 the benefit of any private individual, unincorporated organization or corporation,
402 including any member, officer or director of MTHSSA, but shall be distributed to TISCA
403 to be used exclusively for educational or charitable purposes. If TISCA is not then in
404 existence, or is not then a corporation which is exempt under section 501(c)(3) of the IRS
405 Code and to which contributions, bequests and gifts are deductible under sections
406 170(c)(2), 2055(a)(2) and 2522(a)(2) of the IRS Code, the net assets of MTHSSA shall be
407 distributed to a corporation or other organization meeting those criteria and designated by
408 the Membership at the time of dissolution, to be used exclusively for educational or
409 charitable purposes.
410

411 **ARTICLE XXIII – Parliamentary Authority**
412

413 1. Robert's Rules

414 The rules in the then current edition of Robert's Rules of Order Newly Revised shall
415 govern MTHSSA and any of its constituent or component parts, committees, etc., in

416 the conduct of meetings in all cases to which they apply and in which they are not
417 inconsistent with these Bylaws and any special rules of order MTHSSA, the
418 Membership, the Board of Directors or its divisions, committees, etc., may adopt or
419 as set forth in the next paragraph.

420 2. Voice & Vote
421 Where in these Bylaws an Interested Individual is described as having voice but not
422 the right to vote, that Interested Individual may participate in debate and ask pertinent
423 questions in the discretion of the presiding officer, but may not make or second
424 motions, orders or other proposals.

425 3. Special Rules of Order
426 *This Section reserved for future use.*