

Bylaws

of the

National Collegiate Water Ski Association

Table of Contents

Article I - Name	3
Article II - Purpose	3
Article III - Membership	3
Section 1. Authorized Memberships	3
Section 2. Member Club Eligibility	3
Section 3. Team and Individual Dues	3
Section 4. Suspension or Expulsion of Members	3
Section 5. Appealing Suspension or Expulsion	4
Article IV - Complaints	4
Section 1. Complaints	4
Section 2. Manner of Filing, Notice, and Binding Nature of the Proceedings	4
Section 3. Administration	5
Section 4. Appeals	6
Section 5. Other Complaints	6
Article V - Regional Organization	6
Article VI - Board of Directors	7
Section 1. Number and Qualification of Members of the National Board	7
Section 2. Chair Election Term	7
Section 3. Board of Directors Election Term	8
Section 4. Vacancies	8
Section 5. Powers and Duties	8
Section 6. Place of Meeting	8
Section 7. Regular Annual Meeting	8
Section 8. Other Regular Meetings and Special Meetings	9
Section 9. Notice of Meeting	9
Section 10. Quorum	9
Article VII - Officers	9

Article VIII - Duties of Officers	10
Chair of the Board	10
Vice Chair	10
Secretary	10
Treasurer	10
Article IX - Committees	11
Section 1. Standing Committees	11
Section 2. Special Committees	11
Article X - National Championship Tournament and National All-Stars Tournament	11
Section 1. Date	11
Section 2. Hosts	11
Section 3. Eligibility	11
Section 4. Rules	11
Article XI - Fiscal Year	12
Article XII - Amendments	12
Section 1. Required Vote	12
Section 2. Contradictions With USA Water Ski & Wake Sports Rules and Bylaws	12
Article XIII - Procedure	12
Section 1. Robert's Rules of Order	12
Section 2. Supercede Previous Bylaws	12
Article XIV - Not For Profit Status	12
Section 1. Nonprofit Status	12
Section 2. No Earnings for Members	13
Section 3. No Activities Not Permitted by 501(c)(3) or 170(c)(2)	13
Section 4. Asset Distribution Upon Dissolution	13

Article I - Name

The name of this organization shall be "NATIONAL COLLEGIATE WATER SKI ASSOCIATION," the abbreviation of which shall be "NCWSA", A Sports Discipline OF USA Water Ski & Wake Sports, Inc., the abbreviation of which is USA-WSWS.

Article II - Purpose

The purpose of the NCWSA shall be to organize, promote, and direct collegiate water skiing in the United States as a Sports Discipline of USA-WSWS.

Article III - Membership

Section 1. Authorized Memberships

Subject to the requirements which will be set by the Board of Directors, the following memberships are authorized:

- I. Club membership in the NCWSA is open to any College or University water ski club. Each club shall have voting privileges within their respective **region**, subject to their **regional bylaws**.
- II. Individual competitive membership in the NCWSA is open to all members of an affiliated club. Individual members shall have voting privileges in their respective affiliated club.
- III. Special classes of membership without voting privileges, i.e., Patron Membership, Associate Membership, and other classes of membership, may be authorized and established by the Board on such terms and conditions for such dues and with such reasonable rights and privileges as it may establish from time to time.

Section 2. Member Club Eligibility

To be eligible to compete in NCWSA Tournaments, member clubs must have a minimum of one competitive member. ~~and have submitted their club rosters including the names of all competing members to the NCWSA secretary.~~ All club members must be registered students on his **or** her respective campus, and subject to NCWSA Official Tournament Rules.

Section 3. Team and Individual Dues

Team and Individual Dues are governed in the [NCWSA Policies and Procedures](#) manual.

Section 4. Suspension or Expulsion of Members

A member may be suspended or expelled for unsportsmanlike conduct; any willful violation of NCWSA, and/or any other Sport Discipline, and/or USA-WSWS rules or procedures; criminal or fraudulent acts; failure to pay indebtedness; or any other act which is contrary to the objectives and purposes of NCWSA, USA-WSWS, IWWF and/or USOC.

Section 5. Appealing Suspension or Expulsion

Suspension or expulsion may be appealed and/or a grievance filed to the NCWSA per Article IV ~~or Article V~~ and when the NCWSA Board of Directors has made a final decision, then the resolution shall be referred directly to USA-WSWS and resolved in accordance with USA-WSWS Bylaws Article IX. The resolution must be passed by a two-thirds majority of the Board of Directors.

Article IV - Complaints

The NCWSA hereby adopts the following Policies and Procedures for all proceedings under the NCWSA's Bylaws Article IV (Complaints).

Section 1. Complaints

The NCWSA shall have exclusive jurisdiction over complaints relating to the following:

- I. The application or interpretation of any of the NCWSA's rules of competition including administrative rules relating thereto;
- II. Any alleged or actual denial, or threat to deny, an individuals' opportunity to compete or participate (including as an athlete, coach, manager or otherwise) in a USA-WSWS sanctioned competition or as a member of an official U.S. team designated to participate in international competition relating to the NCWSA's activities.

Section 2. Manner of Filing, Notice, and Binding Nature of the Proceedings

A complaint may be filed by any person who claims direct and actual harm as a result of the actions complained of. The complainant shall file a Complaint with the NCWSA Chair, with a copy to all members of the NCWSA's Board of Directors, and also with a copy to the Executive Director of USA-WSWS.

The Complaint shall set forth in clear and concise language, preferably in numbered paragraphs: (i) the alleged violation, grievance, denial or threat to deny, and (ii) the remedy requested. The complainant shall sign the Complaint.

Promptly following receipt of the Complaint, the Chair shall send a copy of the Complaint, together with all materials filed with the Complaint and any relevant documents otherwise in the possession of the NCWSA to the party(ies) against whom the Complaint has been filed (the "Respondent(s)").

Following receipt of the Complaint, the NCWSA Board of Directors shall promptly designate a Hearing Panel (which may be the Board of Directors itself) to investigate and decide the Complaint (subject to ratification or amendment of the Hearing Panel's decision by the NCWSA's Board of Directors). The parties shall be given notice of the hearing panel appointees, and a reasonable opportunity to object to any hearing panel appointees because of any conflicts of interest or actual bias or prejudice. The Hearing Panel shall designate a chair to preside over all matters and hearings relating to the Complainant. If the Hearing Panel determines that any individual(s) not listed as either as a Complainant or Respondent are interested parties to whom notice of the proceedings (and an opportunity to be added or intervene as a party) should be given, the Hearing Panel Chair shall provide notice of the proceedings (which shall include a copy of the complaint and all other materials and relevant documents to the third-party(ies); the third-party(ies) shall thereafter inform the Hearing Panel of their intent to participate in the proceedings within a time period established by the Hearing Panel, except that the proceedings shall continue even in the absence of any such third-party(ies) who do not give notice of their intent to participate.

Throughout all such proceedings, all parties shall have the right to submit additional relevant documents for consideration by the Hearing Panel. Copies of all materials provided by any party, or any other communications, shall be provided to all other parties, and there shall be no ex parte communications between the parties and the Hearing Panel. All parties, including any affected or intervening party, shall be eligible to participate fully in the proceedings, including any hearing. All parties, including any affected or intervening party, shall be bound by the decision of the Hearing Panel, even if she/he chooses not to participate, subject only to the ratification or amendment of the Hearing Panel's decision by the NCWSA's Board of Directors.

Section 3. Administration

The Complaint and all proceedings relating thereto shall generally be administered consistent with the principles of due process for such proceedings as set forth in the USA-WSWS Bylaws and related Policies and Procedures.

The Hearing Panel shall provide a written report of its decision, and the basis therefor, to the NCWSA's Chair, with a copy to the NCWSA's Board of Directors and USA-WSWS Executive Director. Upon receipt of the decision, the Chair shall present the decision at the next regularly scheduled meeting of the Board of Directors (or a special meeting of the Board of Directors). At that Board of Directors meeting, the interested parties (including any intervening third-party(ies)) shall have the opportunity to provide written and oral presentations as to why they believe the Hearing Panel's decision should be ratified or amended, following procedures as established by the NCWSA Board of Directors. After considering the matter, the Board of Directors shall ratify the Hearing Panel's decision or may (upon a two-thirds vote of the directors in attendance) amend the decision. The Board of Director's decision may be made in writing, or may be made a part of the minutes of the meeting, and shall be deemed final when made, and the time for filing any appeal from the Board of Director's decision shall commence when that decision is made. The Chair shall notify the interested parties (including any intervening third-party(ies)) of the decision of the Board of Directors.

Section 4. Appeals

Any appeal from a decision of the NCWSA's Board of Directors resulting in any membership restriction, suspension or termination shall be to the USA-WSWS Judicial Committee in accordance with Article IX of the USA-WSWS' Bylaws.

Any appeal from any other decision of the NCWSA's Board of Directors shall through the appeals arbitration process established and maintained by the United States Olympic Committee.

Section 5. Other Complaints

USA-WSWS shall have the sole and exclusive jurisdiction with respect to all other complaints, which shall be administered as set forth in Article IX of USA-WSWS' Bylaws and related Policies and Procedures.

Article V - Regional Organization

The United States shall be divided into four Collegiate Water Ski Regions as follows:

- I. **Southern & Atlantic Coastal** - CT, DC, DE, MA, ME, MD, NH, NJ, NY, PA, RI, VA, VT, WV. AL, GA, KY, NC, SC, TN, FL
- II. **Midwestern** - IA, IL, IN, KS, MI, MN, MO, NE, ND, OH, SD, WI
- III. **South Central** - AR, LA, MS, NM, OK, TX
- IV. **Western** - AK, AZ, CA, CO, HI, ID, MT, NV, OR, UT, WA, WY

Any state, territory, or possession of the United States may be included in any of said Regions or transferred from one Region to another Region by a two-thirds vote of the Board.

Each Region or conference herein provided for shall adopt, and may amend its own **Bylaws**; provided that no provisions thereof, nor action taken there under at the Region or Conference level, shall conflict with the **Bylaws** of NCWSA or any authorized rules made or action taken there under. Wherever such conflict exists, the conflicting **bylaws**, or action taken there under, shall automatically be suspended in application and supplanted by the applicable **Bylaws** of NCWSA, or by the rules made or action taken there under by the Board. In order to avoid such conflicts, a draft of all Region and Conference Bylaws or Amendments thereto shall be promptly submitted to the National Board for examination and recommendations. The Board determination as to the existence of a conflict shall be conclusive.

Region or Conference Officers, meetings, etc., herein referred to, are those provided for in the Region or Conference **Bylaws**. Each Region will elect two representatives to the National Board as described in **Article VI** of these **Bylaws**.

Article VI - Board of Directors

Section 1. Number and Qualification of Members of the National Board

The Board of Directors (herein sometimes referred to as the "Board") shall consist of eight (8) National Directors and two (2) Elite Athletes selected by the NCWSA AAC. The term "Director" as used in these **Bylaws** refers to either a National Director or Elite Athlete. Each Director shall have one vote and the National **Chair** empowered to break a tie.

No person shall be eligible for election to the Board or to the office of **Chair** of the Board, whose official title is National **Chair** (herein sometimes referred to as either the "**Chair**" or the "National **Chair**", unless such person is a member of the NCWSA or AWSA and meets the following qualifications:

I. Mandatory Qualifications

Candidates for Board membership must possess:

- A. U. S. Citizenship
- B. Current valid USA-WSWS membership.

In addition, they must meet at least two (2) of the following qualifications:

- C. Previous membership on the NCWSA Board of Directors.
- D. Membership on a NCWSA Region Board.
- E. Current rated AWSA judge, scorer or boat driver; or past or present collegiate skier.
- F. Approval of their Region Board or NCWSA AAC.

II. Desirable Qualifications

In addition to the mandatory qualifications, the following background factors are to be considered as desirable for Board membership, and are to serve as guidelines for regional elections:

- A. Ability to travel and attend NCWSA Board meetings is a must.
- B. Good knowledge of the functions of NCWSA.
- C. Good organizational background.
- D. Good character and personality traits.
- E. Ability to communicate well.
- F. Active in the sport of water skiing in some capacity on the collegiate level.

Section 2. Chair Election Term

The Board of Directors shall elect a **Chair** from among its elected members or Honorary Directors. The NCWSA Board may accept absentee ballots for the election of officers. These absentee ballots must be received in verifiable form by the **Chair** of the Board via registered mail, return receipt requested, five days before the Annual Board of Directors Meeting. Term of office shall be two (2) years or until a successor is duly elected and qualified.

Section 3. Board of Directors Election Term

Each Director shall be elected by **the Director's** respective Region. Term of office shall be determined by each region according to the regional bylaws. The two AAC members on the board shall be elected by the AAC annually. A director may succeed themselves.

- I. Elite Athlete representatives on the national board shall be elected each year by the NCWSA Athletes Advisory Council under the [NCWSA AAC Policies & Procedures](#).
- II. Honorary National Directors (**HND**) may be elected by the Board at its Annual Meeting. The term of an Honorary Director shall be for life. An Honorary Director shall be allowed a voice, but not a vote, unless **the HND** is a current Director. Election as an Honorary Director for life requires a two-thirds majority vote of the board. Candidates for Honorary Director must meet one (1) of the following requirements:
 - A. Served as an NCWSA Director for six (6) years
 - B. Served as an NCWSA Officer for four (4) years

Section 4. Vacancies

In case of any vacancy in the Board of Directors through death, resignation, incapacity to act or other cause, the remaining directors may call a special meeting of the members of that Region to fill such vacancy or may themselves at any regular meeting of the Board of Directors called for that purpose, elect by an affirmative vote of a majority of the remaining directors a successor from that same Region to hold office for the unexpired term of the director whose place shall be vacant and until the election and qualification of a successor.

Section 5. Powers and Duties

The entire direction and management of the affairs of the NCWSA shall be vested in its Board of Directors except as limited in these **Bylaws**.

Section 6. Place of Meeting

The Board of Directors may hold their meetings at such place or places as the Board may from time to time determine. Conference calls by telephone to be confirmed by mail or email ballots, mail or email ballots may be used when impractical to meet otherwise.

Section 7. Regular Annual Meeting

The Board of Directors shall hold a regular annual meeting for the transaction of such business as may properly come before this meeting at the time and place of the USA-WSWS Annual Board Meeting. This meeting will be attended by all Directors who served the preceding year. The noncurrent Directors will attend for the purpose of insuring that their votes were recorded correctly on previous mail and email ballots and will be welcome to remain and have a voice, but not a vote, for the balance of the meeting. The first order of business on the agenda, will be a call to order, roll call, announcement of a quorum (as described in **Article VI**, Section 10), and approval of minutes. The balance of the agenda shall be as determined by the **Chair**.

Section 8. Other Regular Meetings and Special Meetings

In addition to the regular annual meeting, regular meetings of the Board of Directors shall be held on such dates as may be fixed from time to time by the Board of Directors. Special meetings of the Board of Directors shall be called by the **Chair**, or whenever directed by the Board of Directors, or any seven members thereof.

Section 9. Notice of Meeting

Notice of the place, day and hour of any regular meeting of the Board of Directors, and notice of the place, day and hour and purposes of every special meeting of the Board of Directors, shall be given to each director at least twenty (20) days previous to such meeting, by delivering the same to **the director** personally or by mailing or emailing such notice addressed to **the director's** last known address according to the records of NCWSA. It shall not be requisite to the validity of any meeting of the Board of Directors that notice thereof shall have been given to any director who is present thereat or who, if absent, waives notice thereof in writing, either before or after the holding thereof.

Section 10. Quorum

Two-thirds (2/3) of the directors at any time in office shall constitute a quorum for the transaction of business; but less than a quorum may adjourn any meeting from time to time until a quorum is present. No notice of any adjourned meeting of the Board of Directors need be given.

Article VII - Officers

The Officers of the NCWSA shall be:

- Chair**
- Vice **Chair**
- Secretary
- Treasurer

The above Officers shall be elected by the Board of Directors at its Annual Meeting (**Chair** and Vice **Chair** are elected every two (2) years) and shall take office immediately following election at the Annual Meeting. The offices of Secretary and Treasurer may be combined and come from within or outside the Board.

Officers are expected to attend all Board meetings. An Officer will be allowed a voice, but not a vote, unless the Officer is also a current Director.

Article VIII - Duties of Officers

The duties and power of the Officers of NCWSA shall be as follows:

Chair of the Board

The **Chair** of the Board shall preside at all meetings of the Board of Directors. **The Chair** shall cause to be called all regular meetings of the Board of Directors in accordance with these **Bylaws**. **The Chair** may call special meetings of the Board of Directors at any time at **the Chair's** discretion. **The Chair** may call for a vote of the Board by mail/email ballot at **the Chair's** discretion. **The Chair** may appoint special Board committees at **the Chair's** discretion. **The Chair** shall follow up on actions taken by the Board to determine that they have been implemented, and notify the Board of any failure to implement. **The Chair** shall do those things required to assist in the smooth and efficient operation of the Board of Directors of NCWSA. **The Chair** is authorized to sign all contracts and agreements approved by the Board in the name of NCWSA. **The Chair** shall be the Chief Executive Officer of the association and official representative from NCWSA to serve on the USA-WSWS Board of Directors.

Vice Chair

During the absence and/or inability of the **Chair** to render and perform the chair's duties or exercise the powers of the chair, the same shall be performed and exercised by the Vice **Chair**, and when so acting, the Vice Chair shall have all the powers and be subject to all the responsibilities hereby given to or imposed upon the **Chair**. Should a second member position from NCWSA on the USA-WSWS Board of Directors become available, the Vice **Chair** of NCWSA is this designated second member position from NCWSA on the USA-WSWS Board of Directors.

Secretary

The Secretary is the Recording Officer of NCWSA and the nominal custodian of its records.

Treasurer

The Treasurer may be the same person as the one who occupies the office of Secretary. The Treasurer is the chief financial officer of NCWSA and shall be responsible for the control of NCWSA additional affiliation fee funds as described in Article III, Section 3, and the policies and procedures, or any other fees as described in Article III, Section 1 (III), or any donations approved by the Board; and the maintenance of appropriate records. **The Treasurer shall present and maintain a budget each year for the finances of NCWSA and its operations. Such records shall be available to the board upon reasonable request and at the board meetings.**

Article IX - Committees

Section 1. Standing Committees

The board shall form from its USA Water Ski & Wake Sports members the following permanent standing committees whose duties and responsibilities shall be defined herein or in [NCWSA Policies and Procedures](#). AAC athletes shall represent 20% of the membership and voting powers of all standing committees

- I. Awards
- II. International Activities
- ~~III. Bylaws and P & P Operations~~
- IV. Membership
- V. Marketing
- VI. Athletes Advisory Council

Section 2. Special Committees

The **Chair** at any time may form from its NCWSA, or as necessary USA-WSWS membership, special committees for special duties and tasks.

Article X - National Championship Tournament and National All-Stars Tournament

Section 1. Date

A National Championship tournament and a National All-Stars tournament shall be held annually, with the date and place being set by the Board of Directors.

Section 2. Hosts

Petitions for hosting these tournaments should be made to the Board of Directors not later than one month prior to the Annual Meeting, with selection being made at the Annual Meeting.

Section 3. Eligibility

Each Region shall be responsible for selecting its top team(s) for competition in the National Championship Tournament and its All-Stars competitors consistent with any [National Collegiate Championships Standards](#) or [National Collegiate All-Stars Tournament Standards](#) (whichever is applicable).

Section 4. Rules

The National Collegiate Championship Tournament and the National Collegiate All-Stars Tournament shall follow the [NCWSA Official Tournament Rules](#) except as otherwise provided in the [National Championship Tournament Standards](#) and the [National All-Stars Tournament Standards](#), whichever is applicable. The NCWSA Official Tournament Rules, the National Championship Tournament Standards, and the National All-Stars Tournament Standards may be altered, amended, or repealed by a vote of two-thirds of the Board of Directors.

Article XI - Fiscal Year

The fiscal year of the NCWSA shall commence on the first day of August of each year.

Article XII - Amendments

Section 1. Required Vote

These **bylaws** or any portion of them may be altered, amended or repealed by a vote of two-thirds (2/3) of the members of the Board of Directors.

Section 2. Contradictions With USA Water Ski & Wake Sports Rules and Bylaws

Any provision of these bylaws which is or shall be become contrary to or in conflict with the Rules and Bylaws of USA-WSWS, shall automatically be suspended in application and supplanted by the Rules and Bylaws of USA-WSWS where such conflict exists, to the end that this organization may be completely integrated with and conformable to the National organization as an integral part thereof.

Article XIII - Procedure

Section 1. Robert's Rules of Order

The rules contained in the current edition of Robert's Rules of Order newly revised shall govern the NCWSA in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the NCWSA and USA-WSWS may adopt.

Section 2. Supercede Previous Bylaws

These bylaws supersede all previous bylaws of NCWSA Division of the USA-WSWS.

Article XIV - Not For Profit Status

Section 1. Nonprofit Status

The NCWSA is organized exclusively for charitable and educational purposes, including for such purposes, the making of distributions to organizations under section 501(c)(3) of the Internal Revenue Code (or the corresponding section of any future Federal Tax Code).

Section 2. No Earnings for Members

No part of the net earnings of the NCWSA shall inure to the net benefit of, or be distributed to its members, trustees, directors, officers of other private persons, except that the NCWSA shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of section 501(c)(3) purposes. No substantial part of the activities of the NCWSA shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the NCWSA shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

Section 3. No Activities Not Permitted by 501(c)(3) or 170(c)(2)

Notwithstanding any other provision of these Articles, the NCWSA shall not carry on any other activities not permitted to be carried on (a) by a corporation/organization exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code (or corresponding section of any future Federal tax code) or (b) by a corporation/organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code (or corresponding section of any future Federal tax code).

Section 4. Asset Distribution Upon Dissolution

Upon dissolution of the NCWSA, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future Federal tax code, or shall be distributed to the Federal government or a state or local government for a public purpose.

Adopted the 23rd day of November 1987. Amended the 29th day of February, 1988, the 13th day of May, 1989, the 15th day of October, 1989, and this 11th day of October, 1990, and updated to reflect these changes made since October 15, 1989 through today as mandated by the Board this date October 13, 1991. Amended October 10, 1993; October 15, 1995; August 16, 1998; October 18, 1998; February 19, 2000; February 18, 2002; December 11, 2003; February 1, 2007; September 5, 2007; October 12, 2018; October 18, 2018; and October 25, 2019.