

**BYLAWS OF THE SOUTHWEST
DIVISION OF BOWLS USA
Revised September 14, 2021**

ARTICLE I – Name

The name of this organization is The Southwest Division (“SWD”) of Bowls USA.

ARTICLE II – Purpose

The purpose of the SWD is to promote, foster and govern the game of lawn bowls within its Territory and to represent its Members and Member Clubs in Bowls USA.

ARTICLE III – Territory

The SWD’s Territory is that part of Southern California north of the Mexican border to the northern county lines of San Luis Obispo, Kern and San Bernardino counties.

ARTICLE IV – Membership

1. Member Clubs: Membership is open to all regularly organized lawn bowling clubs, resorts and other organizations within the SWD Territory-which play the game of bowls on level greens of their own. A lawn bowling facility may have one and only one Member Club. By being a Member Club, the club agrees to follow the Bylaws of the Division.

2. Application: Application for club membership must be made in writing to the Secretary of the SWD, giving the name of the club, names and addresses of its officers, a complete list of its members, the location of its green(s), and a statement that membership in the club is open to any person regardless of race, gender or religion. The annual SWD dues for every member of the club covering the first year must be remitted with the application.

3. Temporary Membership: The Secretary will present all Member Club applications received at the next Delegate Assembly Meeting, however, the Executive Board may instruct the Secretary to issue a temporary Certificate of Membership which will become permanent if and when approved at the next Delegate Assembly Meeting.

4. Decision: Should the application fail to meet the above requirements the Secretary will notify the applicant and refund any monies received. The action of the Executive Board, either favorable or unfavorable, will be submitted at the next meeting of the Delegate Assembly for review and final decision by a majority vote of the delegates present.

5. Suspension or Termination: Any club, after due investigation and hearing, and by notice given to all Member Clubs no less than sixty days prior to the Delegate Assembly Meeting, may be suspended or terminated by a two-thirds vote of the delegates present and constituting a quorum at any Delegate Assembly or Special Meeting. Notwithstanding this section, Member Clubs may be suspended pursuant to Article VI, Section 7.

6. Associate Member Club: If a qualified Member Club has less than ten members as of

December 31 of a year, and still less than ten members as of March 31 of the following year, they will become an Associate Member Club. To regain Member Club status they need to have at least ten members as of December 31 of a year. Associate Member Clubs have all the rights, responsibilities, and benefits of a Member Club except that their Delegates do not have voting power at Delegate Assembly Meetings, although they may speak and make motions.

7. Individual Members: Any active member of a Member Club or an Associate Member Club is automatically deemed to be a member of the SWD, and their Member Club/Associate Member Club is responsible to pay dues for that Member as specified by Article VI. Should a Member of Bowls USA from a different division, or a member of a World Bowls organization, be temporarily in the division, no dues shall be due for that Member until they have played in the division for ninety days.

8. Life Positions: The Executive Committee is authorized to present to any regular meeting of the Delegate Assembly names of members recommended for election as Honorary Life Members. This honor is bestowed only on those whose service to the SWD has been long and of a particularly outstanding nature in promoting the game of bowls. Following a majority vote in favor these members will no longer be required to pay SWD dues but will retain all the rights and privileges of membership. (Bowls USA dues are not affected by this action).

9. Provisional Members: Any Member Club may sign up new members at the Division open houses and report them as Provisional Members. To qualify as a Provisional Member, the club must only charge the new member fifty percent of the current club's dues, or less. All Provisional Members must be signed up by the club no later than thirty days from the open house and must be reported to the Division no later than the end of the month after the open house. No dues will be due to the Division for these Provisional Members until the next full year of their membership.

ARTICLE V - Governance

All business of the SWD must be authorized by the Delegate Assembly for implementation by the Executive Board.

If necessary, any meeting of the Assembly, the Board, or a committee may be held as an Executive Session if approved by a majority of those present who are authorized to vote.

Any meeting may be conducted virtually at the discretion of the President or the member calling the meeting. Any meeting conducted virtually will automatically be recorded without notification to those in attendance. Attendees may join a meeting telephonically or via the internet. Attendees are not required to use a video connection.

A. Delegate Assembly.

The Delegate Assembly consists of the Delegates and the members of the Executive Board. Its meetings are open to all members of the Division but only members of the Delegate Assembly may speak or vote, unless the President invites a member to speak.

1. Members: Each Member Club has the right to be represented by two delegates, of different genders, at Delegate Assembly Meetings.

2. Selection: Delegates from Member Clubs will be chosen by their respective clubs and email notice of their appointments must be deposited with the Secretary of the Division by January 15 of each year. Any changes must be notified to the Secretary by email before a new delegate attends a meeting.

3. Substitution: If a Delegate is unable to attend, representation may be made by another club member as designated by that club's president to the Secretary by email before the meeting.

4. Meeting Frequency: The Delegate Assembly must meet at least three times a year: January, Spring, and Fall. The January meeting will be designated as the Annual General Meeting.

5. Quorum: One-third of the voting members constitutes a quorum at any Delegate Assembly Meeting. No vote may be taken unless a quorum is present.

6. Voting: Each authorized delegate is entitled to one vote. All members of the Executive Board are entitled to one vote, except for the President, who votes only in the case of a tie, and the Past President who may speak or make motions. Any Board member who is also a delegate may vote as a delegate in addition to any vote held as a member of the Board. Delegates from Associate Member Clubs do not have voting privileges but may speak and make motions. All actions subject to vote in a Delegate Assembly Meeting are determined by majority vote of those present who are eligible to vote, unless specified elsewhere in the Bylaws.

7. Procedures: The Delegate Assembly must conduct the business of the SWD consistent with the provisions of the Bylaws. On all other points, the latest edition of Robert's Rules of Order Newly Revised will be the guide on procedures.

B. Executive Board

1. Officers: The officers of the SWD are a President, Vice President, Secretary, Treasurer, Immediate Past President, and two Councilors, of different genders, each of whom serves a term of one year or until selection of a successor.

2. Term Limits: A President cannot serve more than two consecutive terms in office.

3. Vacancies: A vacancy in any elective office may be filled by a majority vote of the Executive Board. Each officer so elected holds office until the next Annual General Meeting.

4. Termination: Any officer can be removed from office for just cause and replaced by a majority vote of the Delegate Assembly.

5. Board Committees: The Executive Board may appoint committees within the Board to carry out its duties.

6. Compensation: The Secretary and Treasurer will receive such compensation and/or expense allowance as may be recommended by the Executive Board and approved by the Delegate Assembly at the Annual General Meeting. All other officers serve without compensation except as recommended by the Executive Board and approved at the Annual General Meeting.

C. Officers' Duties

i. General:

1. Officers: The seven officers of the SWD comprise the Executive Board. Between Delegate Assembly Meetings the Executive Board will conduct the day-to-day business and affairs of the SWD. Should an issue arise which would affect the organization or its activities, the Executive Board will seek the opinion of the Delegates by email and make an appropriate decision for subsequent review by the Delegate Assembly.

2. Committee Appointments: The Executive Board reviews the appointments of committee chairs designated by the President. If approved the appointments may be made.

3. Expenditures: The Executive Board is empowered to make expenditures authorized by the Delegate Assembly, including the disbursement of budgeted funds. Additional expenditures may be made at the sole discretion of the Executive Board between Delegate Assembly Meetings, but these are not to exceed \$1,000 in a given period between Delegate Assembly Meetings.

4. Meeting Frequency: The Executive Board meets monthly or more often as needed. The Secretary takes minutes of Executive Board Meetings and distributes them to the Delegate Assembly in a timely manner.

5. Quorum: A quorum of the Executive Board is established when half the voting members are present. For this purpose the President is regarded as a voting member. No vote may be taken unless a quorum is present.

6. Voting rights: Each officer, except the President and the Immediate Past President, has one vote. The President votes only to break a tie vote.

ii. Specific:

1. President:

a) Is the Chief Officer of the SWD and has general administrative supervision, direction and control of all SWD business and activities. The President presides at all Regular Delegate Assembly, Annual General, and Special Meetings of the SWD and meetings of the Executive Board;

b) Unless stipulated elsewhere in the Bylaws or the Standing Rules, appoints the Chair of Standing and Special Committees subject to approval by the Executive Board and also appoints the members of all committees in consultation with the appropriate Chairs;

c) Is an ex officio member of all committees except the Nominating Committee and the Disciplinary Committee;

- d)** Puts into effect all orders of the Delegate Assembly and oversees that the duties of all other officers are performed;
- e)** Interprets and enforces the Bylaws with the concurrence of the Executive Board and the advice of the SWD Parliamentarian if one has been appointed;
- f)** Serves as mentor to the Vice President as a prospective President, including them in all meetings and correspondence;
- g)** Appoints the custodian of all trophies while they are in the care and keeping of the SWD.

2. Vice President:

- a)** In the absence of the President, assumes and performs all of the duties of the President. When acting as the President, the Vice President has the same powers and restrictions as the President;
- b)** Performs duties assigned by the President to assure the smooth operation of the SWD;
- c)** Oversees all welfare and courtesies.

3. Secretary:

- a)** Is responsible for the routine business correspondence of the SWD;
- b)** Sends Divisional notices approved by the Board to the Webmaster for posting to the website or distribution to the Delegate Assembly or the membership.
- c)** Records and keeps minutes of all meetings;
- d)** Maintains a copy of the Bylaws as well as all Standing Rules;
- e)** Maintains a list of delegates with contact information.
- f)** Keeps and preserves all records of the SWD that the Board deems necessary;
- g)** Issues membership cards if they are authorized by the Delegate Assembly;
- h)** Delivers all books, papers, and other property of the SWD to the successor Secretary.

4. Treasurer:

- a)** Collects all dues, fees, assessments and other income;
- b)** Deposits all funds in FDIC banks or depositories approved by the Executive Board;
- c)** Sets up special accounts, safe deposit boxes, and funds as authorized by the Executive Board;
- d)** Pays all indebtedness and obligations of the SWD according to its terms;
- e)** Maintains all accounts on an Executive Board approved software platform. At the discretion of the Treasurer, and with the approval of the Executive Board, this may be either computer based or cloud based.
If computer based the treasurer must respond to a request from any member of the Board within twenty-four hours. If cloud based the President will have access to the account on an ongoing read only basis;
- f)** Is authorized to transfer funds between any authorized SWD accounts;
- g)** Invests the SWD's funds under the direction of the Executive Board or any Executive Board authorized Finance Committee;
- h)** Files all Federal and State tax and/or informational returns in a timely manner;
- i)** Keeps complete books and records of the SWD's finances and submits reports to the Executive Board at its regular meetings;

j) Submits books and records to the Audit Committee after the close of the Fiscal Year and prior to the Annual General Meeting, and submits a fiscal year-end financial report to the delegates at the Annual General Meeting;

k) Delivers all books, papers, and other property of the SWD to the successor Treasurer;

l) Prepares (with the guidance of the President) a suggested budget for the upcoming year to be presented to the Delegate Assembly at the Annual General Meeting.

5. Immediate Past President:

A member who has served as President of this Division will, at the completion of that President's term of office, be known as the Immediate Past President, sitting as a non-voting member of the Executive Board.

6. Councilors:

The councilors represent the SWD at all Bowls USA meetings, prepare a report for presentation at the next Delegate Assembly Meeting, and perform other such duties as may be assigned by the President.

D. Election of Officers

1. Nominations: Prior to the end of September, the President, with the Delegate Assembly's approval, will appoint a Nominating Committee of three non-office holding Division members. The Nominating Committee will select a slate of proposed officers for election at the Annual General Meeting. Proposed officers may also be nominated from the floor by any member of the SWD in good standing with the approval of the nominee. The slate must be submitted by the Secretary to each Member Club not less than thirty days prior to the Annual General Meeting.

2. Balloting: If there is more than one candidate for an office the election must be by secret ballot. Majority (more than fifty per cent) vote is necessary to elect. In the event that no candidate receives a majority, the candidate receiving the lowest number of votes will be dropped and a new ballot taken until a candidate receives a majority vote.

3. Term of Office: Newly elected officers take office at the close of the Annual General Meeting and hold their offices until the close of the next Annual General Meeting or until their successors have been duly elected and installed.

ARTICLE VI – DUES

1. Authority: All dues, fees and assessments are determined by the Delegate Assembly at the recommendation of the Executive Board.

2. Annual SWD Dues: Annual dues of each Member Club will be a specified amount multiplied by the number of active members of said club (less any Life Honorary Members). Dues are not pro-rated. An active member is any bowler whose name is entered on a Member Club's membership rolls, who pays dues to that club and/or is a Life Honorary Member of said club. Members of clubs outside of the SWD who join a Member Club for less than ninety days of the year are not considered "active" members. If an individual belongs to more than one club, then that individual must designate which is their Home Club and only the Home

Club will be required to remit their SWD dues. Dues for Provisional Members are not due until their first full year of membership.

3. Bowls USA Dues: The SWD collects Bowls USA dues from all active members who are members of Bowls USA. Member Clubs must remit Bowls USA dues with the Annual Dues collected under Section 2 above. The SWD will then remit these dues to Bowls USA.

4. Roster: Concurrent with the payment of its dues in February, each Member Club must file with the Registrar a roster of its active members including mail addresses, email addresses, telephone numbers and other such data as may be required by the Executive Board. The roster must be consistent with the dues paid. Updates are required for members who join throughout the year as specified in Section 5 below.

5. Dues Payment Dates: Annual SWD and Bowls USA Dues are payable in February and become delinquent on the first day of March. Dues of new members joining after the current year's Roster has been submitted are payable at the end of every month (except November and December) and must be accompanied by the same data as was submitted for the Roster.

6. Assessments: Special assessments may be levied on active members, providing any such assessment is recommended by the Executive Board and approved by a majority at any Delegate Assembly Annual General Meeting or Special Meeting.

7. Delinquencies: Member Clubs automatically forfeit all rights and privileges of membership until dues in arrears have been paid. Individual members of delinquent clubs will not be allowed to participate in any SWD tournament or receive any of the other benefits of SWD membership.

8. Proposed increase/decrease to current established dues must be presented in writing fourteen days prior to a meeting for Delegate Assembly vote. If an increase/decrease is proposed at a regular meeting, a vote is to be taken at the next scheduled meeting. Any increase/decrease is effective January 1 of the following year.

ARTICLE VII - COMMITTEES

All committees report to the Delegate Assembly except Committees of the Board which report to the Board. Unless stipulated elsewhere in the Bylaws or in the Standing Rules, the Chairs of all Committees are appointed by the President subject to approval of the Executive Board. Members of Committees are appointed by the President in consultation with the Chair.

1. Standing Committees and Appointed Positions: Following are suggested Standing Committees and Appointed Positions of the SWD:

- a) Audit (consisting of two members of the Executive Board who do not have check signing privileges)
- b) Tournament Committee
- c) Instruction & Training
- d) Publicity/Marketing, Membership & Public Relations
- e) Southwest Open and U.S. Open

- f) Disciplinary
- g) Social & Hospitality
- h) Historian
- i) Ladies' Day
- j) Umpire/Laws of the Game
- k) Website
- l) Nominating
- m) Webmaster
- n) Registrar

All appointments expire with the President's term of office.

2. Duties: The duties of the Standing Committees are such as are appropriate to their assignments, or as may be designated by the President or Executive Board or described in the SWD's Standing Rules.

3. Special Committees: The Executive Board may establish Special Committees as needed.

ARTICLE VIII - AMENDMENTS

These Bylaws may be amended or revised at any regular meeting of the Delegate Assembly, or at any Special Meeting called for that purpose, by the affirmative vote of two thirds of those present who are authorized to vote, provided that:

(a) The language of the proposed amendment or revision must be given in writing to the Secretary thirty days before such meeting. Such amendment or revision must be endorsed by at least twenty members, or as proposed by a committee appointed by the President;

(b) The language of the proposed amendment or revision must be communicated to the delegates with the notice of the meeting at least two weeks before the meeting.

Standing Rules may be revised by a simple majority vote at any meeting of the Delegate Assembly.

ARTICLE IX - GOVERNING RULES OF ORDER

Situations not specifically covered by these Bylaws must be governed by the latest edition of Robert's Rules of Order Newly Revised.

ARTICLE X - DISSOLUTION

In the event of termination or dissolution of The Southwest Division of Bowls USA, all of its remaining assets, after payment of all of its liabilities, will be donated in such amounts and proportions as may be determined by the Delegate Assembly to:

- a) Lawn bowling clubs within its Territory; and/or
- b) a subsequent division entity; and/or
- c) Bowls USA.

STANDING RULES

DISCIPLINARY POLICY AND PROCEDURES FOR THE SOUTHWEST DIVISION OF BOWLS USA

Purpose

These policies and procedures are to ensure and maintain orderly and fair administration and conduct for all Southwest Division of Bowls USA ("SWD") activities. It is paramount to the future success and welfare of bowls that members of the SWD act in appropriate and sportsmanlike behavior by and between members both on and off the greens.

1. - Disciplinary Committee

1.1 This is a standing committee consisting of three SWD members. The SWD Board will select the chair. The SWD Board, in conjunction with the chair, will select the other two members. The SWD President is-not an ex officio member of the Disciplinary Committee (hereinafter "DC").

1.2 Membership on the DC is-voluntary.

1.3 This committee is tasked with adjudicating allegations of misconduct by SWD members.

1.4 The scope of the SWD DC's authority includes:

1.4.1 Misconduct at any SWD function or sponsored activity/tournament and the National Championships

1.4.2 Misconduct on the part of any Board member, Delegate, Committee member or other SWD representative engaged in Division activities.

1.4.3 Misconduct at the US Open by a SWD member when hosted by the SWD

1.5 If any member of the DC is the subject of the investigation, that person shall must recuse themselves, and the remaining committee members will select a replacement.

2. - Misconduct Defined

2.1 Misconduct includes:

2.1.1 Unsportsmanlike behavior;

2.1.2 Behavior in violation of the spirit of the game of bowls; and/or

2.1.3 Improper or socially unacceptable behavior.

2.2 Improper and/or unsportsmanlike behavior includes, but is not limited to:

2.2.1 Use of profane, indecent, or improper language that causes offense to others;

2.2.2 Offensive or insulting behavior towards anyone involved in an event, whether a member of the SWD or not;

2.2.3 Actions which brought, or could bring, the SWD into disrepute;

2.2.4 Behavior in violation of the person's responsibilities in their position as a SWD representative;

2.2.5 Misconduct in a SWD elected/appointed position;

2.2.6 Deliberately losing or attempting to lose a game;

2.2.7 Withdrawal after the draw has been made: players may only withdraw from an event by providing event officials with evidence of a bona fide injury, illness, bereavement or other exceptional circumstance.

2.2.8 Early departure from an event: a player must not make travel or other arrangements which would preclude the player from participation in all scheduled matches, nor should the player fail to complete all scheduled matches.

2.2.9 Playing after withdrawal: a player must not compete in another event scheduled during the same time frame, after declaring themselves unfit/unavailable to compete in the originally scheduled event.

2.2.10 Best efforts: a player must use their best efforts to complete a game and must not default unless they are reasonably unable to continue.

2.2.11 Physical abuse: players must not physically abuse another person, the playing surface or surrounds, fixtures or equipment; and/or

2.2.12 Aiding or instigating any of the behavior described above.

3. - Disciplinary Procedure

3.1 Allegation:

3.1.1 An allegation of misconduct must be made in writing (valid email is acceptable) to the DC as soon as possible after the occurrence but must be within seven (7) days of the event. A permanent file will be opened and all materials pertaining to the matter will be maintained, in confidence, by the DC. The email address for the DC will be displayed on the SWD website and will be monitored by the committee Chair.

3.2 Investigation/Evaluation:

3.2.1 Within seven (7) days of receiving a claim, the DC will first strive to resolve the matter amicably without further action by the DC. Communication may be in person, by phone, by email or by teleconference, etc. as appropriate

3.2.2 If the claim is not resolved as in 3.2.1 above, the DC must:

3.2.2.1 Provide the Accuser with a copy of the Disciplinary Policy and Procedures, discuss the allegations, and advise them of their responsibility in pursuing the claim, including attendance at a hearing that may be requested by the Accused.

3.2.2.2 Inform the Accused of the allegation(s), including the nature and source, and provide them with a copy of the Disciplinary Policy and Procedures and their right to a hearing.

3.2.2.3 Investigate the allegation as thoroughly as possible through group discussion. (This may include phone, email, or personal interviews with the parties involved and with witnesses, as well as review of any reports generated.) This investigation will be held in-camera.

3.2.3 The Accused has seven (7) days from the date of notification to respond in writing and/or request a hearing.

3.2.3.1 Any written response must be directed to the DC at the address provided in the first notice of the allegations.

3.2.3.2 If a hearing is requested, the date will be set, and notice of the date will be provided to all parties involved within three (3) days from receiving the request. The hearing will convene within fourteen (14) days.

3.2.3.3 The DC may adjust the time schedule to accommodate unforeseen circumstances.

3.3 The Hearing:

3.3.1 The hearing will be closed door, with only the DC, the Accuser, the Accused, and witnesses present (if at all possible). The hearing will be in-camera.

3.3.2 The hearing date, time, and location will be chosen by the DC. Teleconferencing is an option.

3.3.3 The hearing will include the right of the Accused to present witnesses and/or

documentary evidence.

3.3.4 The DC will make a final decision and write a report of findings within three (3) days following the hearing.

3.4 Report of findings to the SWD board:

3.4.1 The report will state either that:

3.4.1.1 the allegation(s) does/do not justify any further action, or

3.4.1.2 the allegation(s) is/are substantiated and the DC has decided on one of the following courses of action:

3.4.1.2.1 Warning

3.4.1.2.2 Probation (for a set time)

3.4.1.2.3 Removal from elected/appointed office

3.4.1.2.4 Temporary suspension from SWD-sponsored events (for a set time)

3.4.1.2.5 Termination of membership and participation in SWD functions, events, tournaments, and any or all other SWD sponsored activities (for a set time).

3.5 Final action:

3.5.1 The DC must notify the SWD Board of its decision. The SWD Board will review and approve or reject. If the SWD Board rejects, the DC can request reconsideration and a meeting will be held within seven (7) days.

3.5.2 The SWD Board will then notify the accused of the ruling. If the reprimand involves probation, suspension or termination, the Tournament Committee will be advised.

SOUTHWEST DIVISION TOURNAMENT COMMITTEE

1 - Purpose

The SWD Tournament Committee is responsible for all aspects of the Divisional tournament program including running all divisional tournaments as specified in the Southwest Division Tournament Book. Day-to-day running of individual tournaments will be delegated to the Southwest Men's Tournament Chair and the Southwest Women's Tournament Chair and their committees, as appropriate

2 - Composition

2.1 The Committee consists of three men and three women: The Women's Tournament Chair, The Men's Tournament Chair, and four other members, two of each gender. The Tournament Chairs are appointed by the President subject to Board approval. The other members are appointed by the Tournament Chairs who each select two.

2.2 One of the members of the Tournament Committee should act as Treasurer for the group. If no one is willing or able, a member outside of the Tournament Committee may serve as Treasurer but will not have a vote in Tournament Committee matters.

2.3 The Committee is chaired by either the Women's Tournament Chair or the Men's Tournament Chair as appointed by the President of the SWD. If any vote of the committee results in a tie, no action is to be taken on that matter.

2.4 Additional volunteers may be allowed by the Tournament Directors but will not have an official position on the Tournament Committee and will not have a vote in Tournament committee matters.

SOUTHWEST DIVISION LADIES DAY COMMITTEE

1 - Purpose.

The purpose of the Ladies Day program is to promote camaraderie between the women members of clubs within the SWD through friendly competition and social events. It provides a venue where experienced and newer bowlers may meet, make friends and generally foster the game of lawn bowls. Southwest Division Ladies Day activities are open to all women members of the Southwest Division.

2 - Duties.

Is responsible for all Ladies Day activities approved by the SWD Delegate Assembly. These activities include, but are not limited to, Ladies Day competition on a scheduled basis at clubs throughout the SWD and a Holiday Luncheon to be held annually.

2.1 Specifics.

The Committee will:

2.1.1 Contact individual clubs willing to host Ladies Day competitions and provide a schedule for Delegate Assembly approval.

2.1.2 Ensure that the schedule is included in the website and notified to all SWD clubs.

2.1.3 Work with the hosting clubs to ensure that everything is in place.

2.1.4 Receive entries and arrange teams for competition days.

2.1.5 If required, prepare a Holiday Luncheon menu, secure a caterer, and provide a costing for approval by the Delegate Assembly.

3 - Fund raising

The Committee will be responsible for any fundraising activities, such as raffles. All funds so raised must be used to defray costs of the Ladies Day programs.