

## **GOVERNANCE COMMITTEE CHAIR'S INTRODUCTION TO 2008 USA DIVING CODE**

Commencing with the 2008 update the *USA Diving Code* ("Code") will no longer be printed. The online version is now the official version of the *Code*.

Several amendments were made to the *Code* at the 2007 USA Diving Annual Meeting. The various amendments are presented in the table below. These amendments were originally presented as proposals by members of USA Diving. All proposals were posted on the USA Diving website and comments were requested from the membership. Several comments were received.

At the Annual Meeting, a forum was held for those in attendance. Comments were received from those present regarding a number of the proposals and a straw vote was taken on each of the proposals. The Governance Committee thoroughly reviewed each of the proposals. The Committee voted on each proposal to accept, reject or accept with modification.

The Governance Committee's action regarding each proposal was submitted in written report form to the General Assembly in its plenary session. After discussion regarding some items, the General Assembly unanimously adopted the Governance Committee's report.

One additional important change was made to the *Code*. The Governance Committee was asked to consider whether Subpart D of the *Code* regarding the Codes of Conduct, Articles 80 through 84, should be part of the *Code* (which serves as the by-laws of the Corporation) or be policy matters for determination by the Board of Directors. After discussion, the Committee voted unanimously that Subpart D is, in fact, policy and is a matter for the Board of Directors. The question and the Committee's decision were then presented to the General Assembly for ratification. The General Assembly voted unanimously to ratify the Committee's decision.

Subpart D, with the amendments approved by the General Assembly is presented as part of the *Code* for the convenience of the membership. In the event that the Board of Directors approves amendments to the provisions of Subpart D, such changes will be reflected in the online version.

Unless otherwise specified, amendments to the *Code* are effective January

1, 2008. The current version date appears at the bottom of each page. The date of the current version November 1, 2007.

I extend my sincere appreciation to the members of the Governance Committee for their attention to detail and their diligence in preparing for and participating at the 2007 Annual Meeting. A special note of thanks to Don Mason for his work in being the "secretary" for the Committee and making sure that the Chair had all the wording correct in the modifications made by the Committee.

Finally, my heart felt thanks to Jeff Stabile. Jeff spent countless hours working with me to proofread the entire *Code*, a very tedious and thankless endeavor which Jeff performed with a keen eye and good humor. One of the results of Jeff's work is a *Code* with significantly improved grammar and punctuation, something that has been needed for some time. In our work, Jeff and I found a number of provisions of the *Code* which will require consideration for amendment at the 2008 Annual Meeting.

Bill Farrar  
October, 2007

*(TABLE OF AMENDMENTS BEGINS ON THE NEXT PAGE)*

**USA DIVING CODE  
TABLE OF AMENDMENTS**

<b>SECTION</b>	<b>FORMER SECTION</b>	<b>SUBJECT</b>	<b>ACTION</b>
240.1		Amended so athlete memberships change from Senior, Junior, Future Champion and Limited to two new classifications known as Competitive Blue and Competitive Gold	Amended
		Transition provisions adopted as part of the amendment provide for i) a waiver of the notice requirements of section 247.1, ii) certain steps the Board of Directors must follow before setting the fee schedule for the new membership categories, and iii) an effective date for the amendment that is dependent upon the time frame followed by the Board in setting fees.	
Article 43		Article 43, Officers, deleted in its entirety	Deleted
Article 44		Article 44, Board of Directors, renumbered and sections carried forward and amended as necessary.	Amended
243.3	<i>244.3</i>	Composition of the Board of Directors amended to provide new titles for the positions that were formerly elected officers of the Corporation and provision made for the election of these positions directly to the Board.	Amended
243.5	<i>244.</i>	Amended to clarify of how vacancies on the Board of Directors are filled.	Amended
243.6(b)	<i>243.5(C)</i>	Amended to add that the Vice Chair, Administration, will act in the capacity of the Secretary of the Corporation whenever required for legal purposes.	Amended
243.8	<i>244.7</i>	Amended to remove ambiguities regarding Board of Action by other means.	Amended
243.10	<i>244.9</i>	Amended to clarify quorum requirement.	Amended
		Transition provisions adopted as part of the amendment provide that the amendment became effective on October 1, 2007. The transition provisions also provide changes from the prior "elected officers" to the "elected Board members" and the "Immediate Past President" to "Immediate Past Chair".	

Article 44		New Article 44, Chief Executive Officer added to codify previous actions of the Board of Directors, ratified by the General Assembly, defining the duties and authority of the Chief Executive Officer.	Added
		Transition provisions adopted with the amendment provide that the effective date for the new Article 44 is October 1, 2007.	
245.1		Amended to delineate those Committees reporting to the Board of Directors, those reporting to the Chief Executive Officer and those reporting to the General Assembly.	Amended
245.1(e)	245.1(c)	Amended to clarify how vacancies in committee chair positions are filled.	Amended
245.1(f)	245.1(d)	Amended to add a new section that provides that the Chair of the Board, with the approval of the Board, may remove a committee chair for cause.	Added
245.1(g)	245.1(e)	Amended to provide that a committee may vote to change its policies and procedures by a majority of the members present and voting.	Amended
245.1(h)	245.1(f)	Amended to provide that a vote by the General Assembly to permit a candidate for a committee chair or member who has completed the number of terms provided by provisions on term limits to seek an additional term may be held at any time prior to the election for such position.	Amended
245.2(c)		Amended to state the duties of the Treasurer and the Finance and Audit Committee following the establishment of the position of CEO.	Amended
245.3(e)		Amended to clarify that members of the Junior Rules Subcommittee are elected without regard to formal membership in either the Senior or Junior Sections of the General Assembly.	Amended
245.4(a)		Amended to change the names of the former competitive Vice Presidents: <i>Vice President, International</i> - Chair of the International Diving Committee; <i>Vice President, Senior</i> - Chair of the Senior Diving Committee; and <i>Vice President, Junior</i> - Chair of the Junior Diving Committee.	Amended
245.8(c)		Amended at the request of the USOC to provide that the Committee not present a slate of candidates for elective positions to the General Assembly, but to provide a list of all persons who indicate a desire to be a candidate for elective position.	Amended
245.9(a)		Amended to change the composition of the Personnel and Compensation Committee to make the Chair of the Board of Directors the Chair of the Committee.	Amended

245.9(c)		Amended the duties of the Committee in light of the creation of the position of CEO.	Amended
245.11		Amended this section to recognize that the purpose of <i>ad hoc</i> committees is to provide assistance as requested by the CEO, while the purposes of "task forces" is to provide assistance as requested by the Chair and the Board of Directors.	Amended
		Transition provisions adopted with the amendment provide that the effective date of the changes to Article 45, including the changes in name of the former competitive Vice Presidents, are effective October 1, 2007	
360.3		Amended to provide that the meet waiver and doping forms that are executed by athletes are necessary only once per year provided the forms are sent to the National Office.	Amended
Articles 80 to 84		Subpart D of the <i>Code</i> has been removed from the purview of the General Assembly as being policy and a matter for the Board of Directors. The Code of Conduct, for the near future, will continue to appear with <i>Code</i> and maintain the same section numbers. The Code of Conduct that appears online includes the amendments approved by the General Assembly for recommendation to the Board.	Removed from <i>Code</i>