

# **KWAJALEIN SCUBA CLUB**

## **CONSTITUTION**

<b>ARTICLE I – NAME AND PURPOSE</b>	<b>1</b>
A. Name	1
B. Purpose	1
<b>ARTICLE II – FUNCTIONS AND ACTIVITIES</b>	<b>1</b>
A. Functions	1
B. Activities	1
<b>ARTICLE III - MEMBERSHIP</b>	<b>2</b>
A. Types of Membership:	2
B. Eligibility:	2
C. Qualification:	2
D. Membership Requirements:	3
E. Membership Privileges:	4
F. KSC Dive Supervisor Council Member Tenure:	4
<b>ARTICLE IV - ELECTED OFFICERS</b>	<b>4</b>
A. Election of Officers:	5
B. Term of Office:	5
C. Qualification of Elected Officers:	5
D. Duties of Elected Officers:	5
<b>ARTICLE V - APPOINTED OFFICERS</b>	<b>7</b>
A. Appointed Officers:	7
B. Appointment:	7
C. Term of Office:	7
D. Qualification of Appointed Officers:	7
E. Duties of Appointed Officers:	7

<b>ARTICLE VI - GUIDELINES FOR INSTRUCTORS</b>	<b>8</b>
<b>ARTICLE VII - TANKHOUSE OPERATIONS</b>	<b>10</b>
A. Tank House Manager and Tank Fillers:	10
B. Tank House Security:	10
<b>ARTICLE VIII - COMMITTEES</b>	<b>10</b>
A. Executive Committee:	10
B. Dive Supervisor's Council (Dive Supervisor Council):	11
<b>ARTICLE IX - FUNDS</b>	<b>11</b>
A. Wages and Salaries:	11
B. Compressor Fee and Dues:	12
C. Fees for All Others:	12
D. Method of Payment of Fees and Dues:	12
E. Compressor Fund:	13
F. Recompression Chamber Maintenance Account:	13
G. Control of Funds:	13
H. Dissolution of the Kwajalein Scuba Club:	14
I. Taxes:	14
<b>ARTICLE X - MEETINGS</b>	<b>14</b>
A. Regular Meetings:	14
B. Special Meetings:	14
C. KSC Dive Supervisor Council and Executive Committee Meetings:	14
D. Order of Business:	14
<b>ARTICLE XI - AMENDMENTS</b>	<b>15</b>
<b>ARTICLE XII - WARNING, SUSPENSION, AND EXPULSION PROCEDURES</b>	<b>15</b>
A. Warning:	15

<b>B. Suspension:</b>	<b>15</b>
<b>C. Expulsion:</b>	<b>16</b>
<b>D. Appeals:</b>	<b>16</b>
<b>E. Incident Reporting Procedure:</b>	<b>16</b>
<b>ARTICLE XIII – INSURANCE AND LIABILITY</b>	<b>17</b>
<b>A. Insurance</b>	<b>17</b>
<b>B. Liability</b>	<b>17</b>

## **ARTICLE I – NAME AND PURPOSE**

### **A. Name**

The name of the organization shall be the Kwajalein Scuba Club (KSC), herein referred to as the Club.

### **B. Purpose**

The purpose of the Club is to promote safe scuba diving as a means of recreation and sport and to provide Club approved, scuba oriented assistance to outside agencies when requested.

## **ARTICLE II – FUNCTIONS AND ACTIVITIES**

### **A. Functions**

Conduct safe diving for KSC membership and visitors by:

1. Promoting safe diving through education in meetings, newsletters, and guest speakers
2. Implementing USAKA regulation 385-9, *USAKA Water Safety Rules and Regulations*
3. Providing safe breathing air and cylinders
4. Investigating unsafe dive practices, incidents, and accidents
5. Conducting Dive Orientations for Certified new and TDY divers
6. Providing leadership guidelines for certified KSC Instructors and Divemasters

### **B. Activities**

1. Conduct Orientation Dives
2. Provide Club Dive Trips
3. Conduct Community Dive Events
4. Provide local Scholarship
5. Conduct Tank House Operations

## ARTICLE III - MEMBERSHIP

### A. Types of Membership:

There shall be three types of membership:

1. **Diver** - This membership grade is aimed at people who intend to repeatedly use KSC resources and benefits.
2. **KSC Dive Supervisor Council Member (DSCM)** - This membership grade is aimed at experienced, knowledgeable divers who have shown that they are willing and able to serve the Club.
3. **Temporary** – This membership is intended for persons visiting Kwajalein for 60 days or less. This membership terminates after 60 calendar days.

### B. Eligibility:

Any person holding a nationally sanctioned recreational Scuba certification (i.e. CMAS, NAUI, NSDS, PADI, SSI, & YMCA) is eligible for membership. Anyone with Military or Commercial dive credentials is also eligible. Newly certified divers or new divers, relocating to Kwajalein, will not be allowed to dive until all required paperwork and fees are provided to KSC.

### C. Qualification:

1. **Diver** - To qualify as a diver, a person must possess an Open Water Diver or greater or equivalent certification from a recognized Scuba certification agency.
2. **KSC Dive Supervisor Council Member (DSCM)** - To qualify as a Dive Supervisor Council Member, a diver must be nominated by the Dive Supervisor Council (DSC), have Executive Committee approval, and must:
  - a. Be a certified as a Divemaster or above.
  - b. Be agency current and insured, with the Kwajalein Scuba Club listed as an additional insured on the member's policy.
  - c. Be experienced and knowledgeable in scuba matters including having been diving at Kwajalein as a KSC Member for a minimum of 6 months.
  - d. Be of sound judgment, good moral character, capable, stable, dependable, safety minded, a willing Club worker, and a regular attendee of KSC meetings.
  - e. Set a good example for other divers.
  - f. Be appointed by the Executive Council from a list of nominees furnished by the Dive Supervisor Council. Nominees will be selected from applicants indicating a desire and the willingness to accept the responsibilities of a Dive

Supervisor Council Member. The Dive Supervisor Council will evaluate each applicant's qualifications and make nominations to the Executive Council based on a majority vote.

- g. Be briefed by the Chief Dive Supervisor (Chief Dive Supervisor).
- h. Assume responsibility for promoting safe diving within the KSC and taking necessary actions required to correct potentially unsafe situations.
- i. Perform the following Dive Supervisor Council Member duties and obligations:
  - 1. Serve as a Divemaster on KSC sponsored dives.
  - 2. Perform Environmental Orientation dives as required.
  - 3. Report within 24 hours to the Chief Dive Supervisor all violations of the KSC Constitution/Bylaws.
  - 4. Attend KSC and KSC Dive Supervisor Council meetings regularly.

#### **D. Membership Requirements:**

- 1. Members must be in good standing with the KSC to use Club air and/or equipment. To be considered in good standing, Members must have:
  - a. All current dues and/or fees paid.
  - b. A KSC Release of Liability Form signed and on file.
  - c. Must have viewed the Unexploded Ordnance Video. This is required of all members who joined the KSC after August 1, 1998.
  - d. All new members, joining after August 22, 1994, must, within 6 months of joining KSC, obtain Advanced Open Water Diver or equivalent certification.
  - e. Must have attended an annual safety training seminar and viewed the UXO video. KSC will provide three seminars from which the diver can select one to attend. The safety training seminar and UXO videos will be featured at the April and May meetings, then on the last Saturday night in May. Anyone that has not attended a seminar by May 31 will be placed on the Inactive Diver List. To become an Active Diver again the diver must (1) view the UXO video and attend a dive safety training seminar. (2) Pay a reinstatement fee of \$15 (\$5 will go to the council member showing the video). Divers who are able to show proof that they were unable to attend any of the scheduled sessions because of duty and/or TDY will be excused from the fees. Dive Supervisor Council Members who are authorized to conduct orientation dives may conduct safety training seminars and showing of the UXO video.
- 2. Divers who do not meet the good standing requirements in Section d, Part 1, of this Article, will be placed on the delinquent diver list at the tank house, and will not be allowed to dive until the requirements are fulfilled. Divers who remain on the

delinquent diver list for a period of 30 days will be dropped from the membership, and will be required to pay dues, plus a \$15 fee before reinstatement. If a member is off island for TDY, vacation or medical and is dropped, they may be reinstated by showing their orders to the KSC Secretary. Members may be placed on the inactive list for special circumstance, such as pregnancy, illness, or TDY only if the KSC Secretary is notified prior to the date the member is initially placed on the inactive list. If a member request to be withdrawn, in writing, no penalties shall be assessed.

3. Violations of the good standing requirements will subject the diver to disciplinary action as per Article XII of the Constitution.

#### **E. Membership Privileges:**

1. Divers may use KSC facilities, participate in KSC activities, use scuba, vote on Club issues and elections, and hold office.
2. Dive Supervisor Council Members (DSCM), in addition to the privileges of divers, can conduct Environmental Orientation dives and shall be paid a fee, by KSC, of US \$35.00 for each diver participating in the dive. Each DSCM, participating as a Divemaster on a KSC sponsored dive boat, will be paid a fee, by KSC, of US \$40.00 for performing this duty. A minimum of 4 Divemasters are required for each KSC sponsored dive boat, for up to 60 participating divers or snorkelers. One additional Divemaster is required for each 15 additional divers or snorkelers or fraction thereof. Divemasters are not included in the count to determine number of Divemasters needed.
3. Divers may participate in training programs, rescue operations, salvage operations, emergency operations, and other dive operations, programs, and activities at the request of the KSC Chief Dive Supervisor.

#### **F. KSC Dive Supervisor Council Member Tenure:**

1. Dive Supervisor Council Member appointments are for an indefinite period of time.
2. The Dive Supervisor Council may vote to rescind a Dive Supervisor Council Member appointment by a 2/3 majority vote of those present at a Dive Supervisor Council meeting after giving the Subject Dive Supervisor Council Member one month notification of intent to vote for removal of appointment.
3. Dive Supervisor Council membership may be revoked or status downgraded by the Executive Council for non-compliance of standards set forth in the Constitution/Bylaws and the Dive Supervisor Council Member manual.

### **ARTICLE IV - ELECTED OFFICERS**

There shall be four elected officers: President, Vice President, Secretary, and Treasurer.

## **A. Election of Officers:**

Officers shall be elected at the May meeting which shall be called in accordance with Article X, Section A, Part 2, of the Constitution. Election shall be by plurality of the Members voting. The President's vote shall be used in case of a tie unless a conflict of interest is involved in which case Members of the Executive Committee shall choose someone to cast the tie-breaking vote.

## **B. Term of Office:**

The newly Elected Officers shall assume office on 1 June following their election. Term of office is one year. Should any Elected Officer be unable to complete his term, the Executive Council shall appoint a replacement at the next Club meeting. Appointment ratification is by a majority vote of approval of Members voting at the Club meeting. Article X, Section A, Part 2, of the Constitution does not apply in this case.

## **C. Qualification of Elected Officers:**

All Officers must be KSC Members in good standing.

## **D. Duties of Elected Officers:**

It shall be the general duty of the Elected Officers to appoint the Appointed Officers in accordance with Article V, Section B, and Parts 1 & 2, of the Constitution. Elected officials shall promote the progress, activities, and the general welfare of the Club, and attend Club and Executive Council meetings. All Elected Officers are responsible for investigating possible violations of KSC Constitution/Bylaws and USAKA regulations related to scuba diving. The Officers may also apportion additional specific duties or reapportion existing specific duties among themselves as they see fit. Unless otherwise specified by the Officers, the official duties shall be apportioned as follows:

### **1. President:**

The President shall preside over all Club and Executive Council meetings, and shall appoint committees as required for the Club welfare. The President may convene a Dive Supervisor Council meeting in the absence of the Chief Dive Supervisor or as required for Club needs.

- a. Furnish an inventory of Club property to the Membership at the December meeting on an annual basis.
- b. Review Tank house maintenance logs and air test results semi-annually.

### **2. Vice President:**

- a. Act in the absence of the President.
- b. Request and coordinate Club sponsored dive boats.
- c. Conduct dive boat sign up and collect all fees.

- c. Advertise each regular Club dive and regular monthly meeting in the Hourglass and on AFRTS.
- d. Coordinate entertainment at the Club meetings.
- e. Act as chairman of the Buoy Committee.

**3. Secretary:**

- a. Be responsible for Club correspondence and maintain a permanent file.
- b. Keep clear minutes of Club and Executive Council meetings and maintain a permanent file.
- c. Maintain a supply of Club forms as needed.
- d. Provide the USAKA Safety Office with a monthly list of new members and their PO Boxes.
- e. Collect payment of dues and TDY fees.
- f. Notify each Member by phone, mail, voice, or any other adequate means when they are overdue on dues.
- g. Maintain current Club Membership Rosters, (ACTIVE DIVER, DELINQUENT DIVER, AND INACTIVE DIVER LISTS), also maintain a record of environmental orientation dives for Dive Supervisor Council records.

**4. Treasurer:**

- a. Maintain a record of all money of the Club.
  - 1. Secure payment of dues.
  - 2. Make payment of all Club bills.
- b. Maintain a file of old Club records for at least three years.
- c. Maintain a roster of all current and former KSC members.
- d. Obtain current rosters from the Roi-Namur Dolphins at least every 6 months and post on the tank house bulletin board in exchange for current KSC rosters.
- e. A newly elected Treasurer shall audit the records of the outgoing Treasurer and submit a detailed written report to the new Executive Council for approval. He shall also arrange for an audit in accordance with current USAKA regulations.

## **ARTICLE V - APPOINTED OFFICERS**

### **A. Appointed Officers:**

There are 4 appointed officers: Chief Dive Supervisor, Training and Safety Officer, Ships Stores Officer, and Public Affairs Officer.

### **B. Appointment:**

1. The Chief Dive Supervisor shall be recommended by the Members of the Dive Supervisor Council by a simple majority vote of Members voting and must be approved by the Elected Club Officers.
2. The Training Officer, Public Affairs Officer, and Ships Stores Officer shall be appointed by the Elected Club Officers and approved by a simple majority vote of the Members voting at the regular Club meeting.

### **C. Term of Office:**

The Appointed Officers term of office shall run from the Candidates acceptance of the appointment until the first regular Club meeting conducted by the newly Elected President. Should an Appointed Officer be unable to complete his term, the Executive Council shall assume the duties of that office until the vacancy is filled from appointment by the Executive Council with a simple majority approval by the Members voting at the next regular Club meeting, except for the Chief Dive Supervisor, whose vacancy will be filled according to Section B, Part 1, of this Article.

### **D. Qualification of Appointed Officers:**

The Chief Dive Supervisor must be a Dive Supervisor Council Member in good standing; all other Appointed Officers must be divers in good standing.

### **E. Duties of Appointed Officers:**

It shall be the general duty of all Appointed Officers to promote the progress, activities, and general welfare of the Club, and to attend Club and Executive Council meetings. The Officers may apportion additional specific duties among themselves as they see fit. All duties shall remain under the control of the Executive Council even though they are apportioned to specific Officers. All Appointed Officers are responsible for investigating violations of KSC Constitution/Bylaws and USAKA regulations related to scuba diving. Unless otherwise specified by the Executive Council, the official duties shall be apportioned as follows:

#### **1. KSC Chief Dive Supervisor:**

The Chief Dive Supervisor shall be the chairman of the Dive Supervisor Council, present briefings to the Dive Supervisor Council Members as needed, represent the Dive Supervisor Council in Club matters, schedule Dive Supervisor Council Members for regular Club dives, and represent the Club in diving matters to include

the investigation of all diving incidents and or possible violations of the KSC Constitution/Bylaws and USAKA regulations related to scuba diving, and insure expedient reporting of his findings to the Executive Council. The Chief Dive Supervisor shall be responsible for updating and maintaining the Dive Supervisor Council Member Manual and insure that Members of the Dive Supervisor Council adhere to the requirements of said Manual.

## **2. Training and Safety Officer (TSO):**

- a. The Training and Safety Officer shall perform those duties of coordination, scheduling and administrative support necessary to conduct continuing education programs to update knowledge in scuba activities such as the Responsible Diver Campaign. This duty should make use of all available island media's, to include the Hourglass, AFRTS, and the club newsletter and club T-shirt sales.
- b. The TSO must be an agency certified Instructor in good standing as a minimum for appointment. The TSO will assist divers who request refresher courses or require a Scuba Review, determined by the Chief Dive Supervisor.
- c. The TSO will coordinate annual safety training brief that all club members will be required to attend.

## **3. Ships Stores Officer:**

- a. Inventory and purchase refreshments for scheduled KSC dives and KSC functions and meetings. The Ships Stores Officer shall receive the same fee as paid to Divemasters when he/she is working the dive boat.
- b. Maintain all equipment and accessory gear owned by KSC exclusive of equipment controlled by the Tank House Manager.

## **4. The Public Affairs Officer:**

The Public affairs Officer shall advertise club activities, establish a club newsletter, and make use of the Island's media to promote club meetings and special events, such as tee shirt sales, dive trips, and social functions.

# **ARTICLE VI - GUIDELINES FOR INSTRUCTORS**

## **A. Guidelines for Instructors:**

1. It is the personal responsibility of all Instructors to obtain USAKA approval (per USAKA regulation 1-6) to teach Scuba for compensation.
2. The following items must be completed before formal training, using KSC supplied air and/or equipment, can begin.

- a. Provide copies of Instructor certification, USAKA approval, and yearly by the last day in July; provide copy of insurance coverage for KSC records. The KSC must be listed as an additional insured on the Instructors policy.
  - b. Obtain a briefing from an Executive Council Member to include the following:
    - i. Forms and procedures.
    - ii. Environmental Orientation dives.
    - iii. Use of tank house and tank house etiquette.
    - iv. KSC Constitution and Bylaws. Instructors will be responsible for keeping up on changes.
    - v. USAKA Regulation 385-9.
    - vi. Oceanside dive procedures.
    - vii. Night dive procedures.
    - viii. Walk-ins at ski area.
3. Notify the KSC Secretary of any existing KSC member completing an Advanced Open Water Diver or equivalent course.
4. All Instructors are required to return KSC scuba tanks to the tank house within 24 hours after any training session. Instructors shall not leave any KSC scuba tank unattended in any public place.
5. Instructors will follow their respective agencies standards and procedures.
6. No SCUBA student shall be allowed to participate in any in water activities until the KSC Enrollment and the KSC Liability Release forms are completed and signed. The instructor is to maintain the forms until the student satisfactorily completes the course. At that time, the student must submit the forms, with applicable fees, to KSC.
7. The KSC will follow up on Student and Member complaints to ensure all KSC Constitution/Bylaws, USAKA regulations and respective certification agency standards and procedures are being followed.
  - a. Any complaints against Instructors must be in writing but do not need to be signed. Complaints will be sent or given to the KSC Executive Committee. The complainants' and instructor's name will be kept confidential.
  - b. Upon receipt of official complaint, the Instructor will be notified of complaint, and allowed to respond. If warranted, further investigation will be continued.
  - c. In the case of complaints, it will be the responsibility of the KSC President and/or KSC Training Officer to ensure Instructors is using proper training procedures. This will be done through forms and records checks and/or observation of pool training. This will be accomplished without disturbance of the training taking place.
8. Repeat violations of KSC Constitution/Bylaws USAKA Regulations, and/or validated complaints by Students or Members could result in the loss or suspension of KSC membership.

## **ARTICLE VII - TANKHOUSE OPERATIONS**

### **A. Tank House Manager and Tank Fillers:**

1. Operations of the Tank house will be performed by the Tank house Manager who is paid \$90/monthly for managing the tank house and \$11/hour for tank filling, tank inspecting, and various other administrative duties. The Tank house Manager is responsible to the Executive Council via the Club President. Other tank fillers will work under the Tank house Manager and they will be paid \$10/hour. The Tank house Manager will choose his Assistants. The salary/wages may be changed without an amendment to this constitution by majority vote of the Membership at a Club meeting. All future reprinting of the constitution will reflect current salary and wages.
2. The Tank House Manager will develop and maintain written procedures in conjunction with the Executive Council.

### **B. Tank House Security:**

1. All Members will check the Good Diver List, posted inside the tank house, before removing tanks, to verify they are not supplying KSC air and/or equipment to non-members or KSC Bad or Inactive Divers. Violating this Article shall subject Members to disciplinary action set forth in Article XII of the Constitution.
2. The tank house door combination will be changed as required. All members in good standing will be notified, as soon as possible, of the new combination.
3. Members may be required to sign in/out for tanks. The Divers name will be checked against a current dive roster to assure that the Member is in good standing with the Club.
4. KSC scuba tanks are to be returned to the tank house within 24 hours of use. Repeat violations of this requirement may result in suspension or expulsion from membership.
5. A \$15.00 fee will be charged for any tank that has been run dry and as a result requires tumbling.

## **ARTICLE VIII - COMMITTEES**

### **A. Executive Committee:**

1. The Executive Council consists of the Elected and Appointed Club Officers. Letter of the names and posts of all Executive Council Members will notify the USAKA Logistics Support Division. A quorum is comprised of attendance by no less than 50% of the Executive Council Officers, at least two of who must be Elected Officers.

2. The duties of the Executive Committee shall be:
  - a. To conduct the business of the Club as directed by the Membership.
  - b. To approve/rescind Dive Supervisor Council Member appointments as recommended by the Dive Supervisory Council.
  - c. To convene fact finding inquiries of alleged violations of KSC Constitution/Bylaws, which may involve suspension or expulsion, and giving timely notice to the accused and offering them an opportunity to appear at these inquiries. To warn, suspend, or expel members guilty of misconduct by unanimous vote of members of the Executive Council present at an inquiry, followed by written notification setting forth the particulars and the duration of the censure. In the case of KSC suspension or expulsion, to recommend by unanimous vote of Executive Council present at the inquiry to the USAKA Commander, the particulars in the case and recommending the duration of the censure.
  - d. To promote the progress, welfare and activities of the Club.

**B. Dive Supervisor's Council (Dive Supervisor Council):**

1. The KSC Dive Supervisors Council is governed by the KSC Constitution/Bylaws and the Dive Supervisor Council Member Manual.
2. The KSC Dive Supervisor Council shall consist of the Chief Dive Supervisor (CDS), Divemasters (DM), Dive Instructors (DI), and at least two active KSC members elected at-large by the general club membership, and shall meet quarterly or as required by the Chief Dive Supervisor or KSC President.
3. Under the direction of the Chief Dive Supervisor, the duties of the Dive Supervisor Council are:
  - a. To nominate Dive Supervisor Council Member candidates after duly considering each candidate's qualifications.
  - b. To consider Dive Supervisor Council matters and general scuba matters, formulate Dive Supervisor Council recommendations, policies, and actions.
  - c. To aid as necessary in Dive Supervisor Council qualification tests and other tasks related to qualification, training, and tests.
  - d. To discuss at each meeting any reported dive rule infractions.

**ARTICLE IX - FUNDS**

**A. Wages and Salaries:**

Wages and salaries can be changed by a simple majority vote of those voting at any Club meeting. A Constitutional Amendment is not required. Any future reprinting of the Constitution will reflect the current wages and salaries.

### **B. Compressor Fee and Dues:**

The Compressor fee and dues for the Membership shall be specified by the Executive Council with simple majority approval by the Members voting at the next meeting, which must be advertised in the Hourglass as a "Dues Meeting", as specified in Article X, Section A, Part 2, of the Constitution. A Constitutional Amendment is not required to change either the fee or dues, although any reprint of the Constitution requires the latest amounts be incorporated.

1. Diver: The following schedule will apply:
  - a. Compressor Fee: An annual compressor fee of \$30 will be paid annually by each KSC member. The full \$30 will be deposited into the Compressor Fund.
  - b. Orientation Dives: If an environmental orientation dive is required, an additional \$35 fee will be charged and deposited into the general fund. The Dive Supervisor Council Member involved will receive the \$35, paid by the Club. No instructor will be reimbursed for an Orientation Dive if it was part of a course.
  - c. Monthly Dues: A \$10/monthly dues rate or \$60/6 months rate will be charged to each member and deposited into the general fund.
2. The President, Vice President, Treasurer, Secretary, Chief Dive Supervisor, Training and Safety Officer, Ship Store's Officer and the Public Relations Officer will not pay the monthly dues for each full month they are in office. All other members of the Dive Supervisor's Council and Committee Chairmen will pay dues at the same rate as all other KSC members.
3. Junior Divers, students less 18 years of age, shall pay half the compressor and monthly dues fees.

### **C. Fees for All Others:**

1. Temporary: Must pay a one time fee of \$60.00. This fee is NOT refundable. If an environmental orientation dive is required, the DSC member involved will receive \$35.00 paid by the club.
2. Roi-Namur Dolphins Members: No charge for Roi-Namur residents who are Dolphins Members in good standing (as substantiated by a Dolphin's roster on the tank house bulletin board which is no older than 6 months from day of issue).

### **D. Method of Payment of Fees and Dues:**

Unless otherwise specified by the Executive Council, with simple majority approval of the Members voting at a "Dues Meeting," the following method of fees and dues payment will apply:

1. Monthly Dues: Payable in advance, \$10 per month; or \$60 per 6-month period. Dues paid in advance are protected from assessments for higher dues.
2. Scuba Student Dues and Fees: The Student will pay the \$30 compressor fee as well as the prorated dues for the remaining year to April 1 upon course completion. TDY or Transient Students will pay \$60.

#### **E. Compressor Fund:**

Each member will contribute \$30 annually to the Compressor fund. The \$30 Fee will be deposited into the compressor fund until \$15,000 has been reached. This fund will be used for purchase or partial purchase of a new compressor system and for maintenance, spare parts, repairs, and replacement. The Compressor Fund is maintained as a memo account. Funds are deposited into the KSC Checking Account.

#### **F. Recompression Chamber Maintenance Account:**

All money currently in this Account will be transferred to the General Fund. The latter is maintained as a memo account. Funds are deposited into the KSC Checking Account.

#### **G. Control of Funds:**

1. All funds will be deposited into a high interest checking account selected by the Executive Council and approved by the General Membership at a regular meeting.
2. A checking account shall be maintained as required to handle day-to-day transactions.
  - a. KSC Checking account - This is the major checking account. Funds deposited in this account come from all sources. This account requires the signature of 2 Elected Officers of the Club on the check. When possible, the Treasurer should be 1 of the 2 Officers signing a check. The Treasurer is responsible for maintaining this account.
  - b. Dive boat Account - A memo account is established to identify profits realized from dive boat fees. These profits may be utilized to subsidize dive boat activities as determined appropriate by the Executive Council.
3. The Executive Council shall be authorized to expend Club funds for purchase of routine or expendable supplies for the Club. Capital items of value up to \$300 may be purchased for the Club without special approval of the Club Membership.
4. No liability will be incurred nor any expenditure made in excess of the liquid cash assets on hand at the time of such incurring of expenditure.

## **H. Dissolution of the Kwajalein Scuba Club:**

In the event of the dissolution of the Kwajalein Scuba Club, the Executive Council shall use all funds in the treasury to meet any outstanding debt, liabilities and obligations and divide all remaining assets among all members in good standing at the time of dissolution.

## **I. Taxes:**

Payment of taxes is currently not a requirement of the Club.

## **ARTICLE X - MEETINGS**

All regular, special and Dive Supervisor Council meetings shall be announced in the Hourglass prior to said meeting. A request for AFRTS announcements shall also be made.

### **A. Regular Meetings:**

1. Regular business meetings of the KSC shall be held monthly at such time as directed by the President.
2. Meetings at which the election of Officers, amendments to the Constitution/Bylaws, or Membership Dues are scheduled shall be announced at the preceding regular business meeting, and shall be advertised as such in the Hourglass prior to the meetings. A request for AFRTS announcements shall also be made.

### **B. Special Meetings:**

In addition to the regular business meetings, special meetings may be called by the Executive Council whenever it is considered necessary.

### **C. KSC Dive Supervisor Council and Executive Committee Meetings:**

The Dive Supervisor Council shall meet at least quarterly: the Executive Council at least once per month.

### **D. Order of Business:**

Unless otherwise specified by the Executive Council, the order of business for all Club meetings shall be as follows:

1. Opening by the President
2. Vote for approval of minutes
3. Treasurer's report
4. Old business
5. New business
6. Planning of dive schedules
7. Adjournment

## **ARTICLE XI - AMENDMENTS**

The Constitution & Bylaws may be amended in the following ways:

1. Proposals coming from the floor shall be referred to the Executive Council for composition and consideration. Such proposals shall be voted on at the next regularly scheduled business meeting.
2. Proposals coming from the Executive Council may be voted on at any time, provided the provisions put forth in Article X, Section A, Part 2, of the Constitution are followed.
3. A two-thirds majority vote of the Members voting at a regular meeting shall be required in order to amend the Constitution or the Bylaws.
4. Prior to an amendment becoming effective, it must be approved by the USAKA Commander

## **ARTICLE XII - WARNING, SUSPENSION, AND EXPULSION PROCEDURES**

### **A. Warning:**

1. Cause for considering warnings shall be confined to minor cases of misconduct, violation of the Club Constitution or Bylaws, and unsafe behavior.
2. Repeated warnings are cause for suspension or expulsion. Warnings shall be in writing with a copy provided to the affected club member and a copy kept in club files.

### **B. Suspension:**

1. Cause for considering suspension shall be confined to misconduct violation of the Club Constitution or Bylaws, and unsafe behavior.
2. Any member found diving with a suspended diver would also be suspended.
3. When violation of the club's constitution, bylaws or USAKA regulations is suspected, the Executive Council has the authority to inspect any member's dive computer, dive log or items recovered from the ocean. Failure of a member to allow inspection when requested is grounds for suspension.
4. Length of suspension(s) will be determined by the Executive Council/Dive Supervisor Council, but shall not exceed 120 days.
5. Suspensions will be in writing with a copy provided to the affected member and a copy kept in club files.

### **C. Expulsion:**

1. Cause for considering expulsion shall be confined to cases of gross or repeated misconduct, unsafe behavior, or violation of the Club Constitution or Bylaws.
2. Any member suspended twice in the same year will be removed from the club.

### **D. Appeals:**

1. Appeals concerning the suspension or expulsion of a Member shall first be made to the Executive Council. Subsequently, if the Member is still dissatisfied, they may place the matter before a meeting of the Club.
2. A three-fourths majority vote of the members present is required to reverse the decision of the Executive Council.

### **E. Incident Reporting Procedure:**

1. Club members will report violations of the constitution or bylaws by a member(s) to any member of the Executive Council. Failure to do so may result in suspension. All reports will be held by the Executive Council in strict confidentiality. Any reports or documentation provided to the accused member shall have the reporting member's name removed. When a report is received by the Executive Council, the following actions will be taken:
2. The Training and Safety Officer (TSO) or Executive Council designee will immediately contact the individual reporting the incident to verify and further discuss the incident. The TSO or Executive Council designee shall conduct an inquiry and attempt to verify or refute the allegation. The President or designee will advise the accused of the accusation immediately, or after the TSO's inquiry, at the President's discretion, based on the seriousness of the accusation. The accused will be required to respond to the accusation(s) not later than seven days after receiving the report or seven days after returning to USAKA if on travel. If a response is not received within seven days, the individual will be suspended from all diving activities until the issue is resolved. If the individual continues to dive, he/she will be automatically expelled from the club and USAKA will be notified.
3. Upon receipt of the accused member's response and the written result of the TSO's investigation, the President will call a meeting of the VIOLATIONS COMMITTEE to discuss the matter. The President will appoint the VIOLATIONS COMMITTEE when a violation occurs and will be composed of members from both the Executive Council and the Dive Supervisor Council. The VIOLATIONS COMMITTEE will determine if any further action is required. A letter will be sent within seven days to the accused member detailing the results of the VIOLATIONS COMMITTEE meeting and any action taken against the member.
4. If the accusations are substantiated and the member expelled, a letter will be forwarded to USAKA stating the individual's name, certification level, date of the incident, and a brief summary of the incident and the action taken.

5. Any diver who continues to dive while on suspension will be expelled.
6. Any diver found diving with an expelled diver would also be expelled. USAKA will be notified of any expelled divers.
7. All reports will be made available, upon request, to members after the name of the reporting individual is removed from the report.
8. If a member is found to file a false accusation with intent to harm the credibility of another member, that member will be suspended for a period determined by the VIOLATIONS COMMITTEE.

## **Article XIII – Insurance and Liability**

### **A. Insurance**

Per Army Regulation 210-1 Paragraph 2-6 of the regulations governing private organizations, the KSC will carry a one million dollar general liability policy. KSC members may be liable for amounts exceeding the general liability policy.

### **B. Liability**

1. Insurance is maintained by the Club and Individual Instructors as identified in Article VI and XIII of this Constitution. If assets are not sufficient to cover all liabilities for claims held against the Club, Club assets will be liquidated to pay such liabilities.
2. KSC members may be liable for amounts exceeding the general insurance liability policy.
3. Club members and Leadership are expected to comply with all applicable laws and regulations set forth by USAKA.
4. The Club will neither propagate extremist activities nor advocate violence against others or the overthrow of the Government.
5. The Club will not seek to deprive individuals of their civil rights

APPROVED BY MAJORITY VOTE ON March 8, 2006

President sign/date

 3/11/06

Secretary sign/date

 3/11/06