



Constitution of the Kwajalein SCUBA Club

Approved by Membership Vote

September 14, 2016

Constitution of the Kwajalein SCUBA Club



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 purposed of the Club is to promote safe SCUBA diving as a means of recreation and to provide SCUBA oriented assistance to outside agencies when requested.

ARTICLE II

FUNCTIONS AND ACTIVITIES

A. Functions

1. The Club will conduct safe diving for Club members and visitors by:
 - a. Providing safe breathing gas cylinders.
 - b. Conducting orientation dives for new members.
 - c. Implementing USAG-KA Regulation 385-9, USAG-KA Water Safety Rules and Regulations.
 - d. Investigating unsafe dive practices, incidents, and accidents.
 - e. Promoting safe diving through education.
2. The Club will promote environmentally responsible diving by:
 - a. Promoting the placement, maintenance, and use of buoys at dive sites.
 - b. Promoting environmentally responsible dive practices through education.

B. Activities

1. Conduct tank house operations.
2. Conduct community diving events.
3. Conduct orientation dives for new members.
4. Conduct community service activities.
5. Other activities deemed by the Club to be consistent with the Club's purpose and functions.



ARTICLE III

MEMBERSHIP

A. Eligibility

Any person holding a nationally sanctioned recreational SCUBA certification at the Open Water Diver level equivalent or above is eligible for membership. Any person holding military or commercial diving credentials is eligible for membership. Persons holding Junior Diver credentials at the Open Water Diver level equivalent or higher level are also eligible for membership.

B. Types Of Membership

1. Regular Member:

This membership grade is for Kwajalein residents and others desiring to use Club resources and benefits for more than 30 days.

2. Temporary Duty Member:

This membership grade is for persons visiting Kwajalein for 30 days or less. This membership terminates after 30 days. TDY members expecting to stay more than 30 days will need to become a standard member with all associated fees and prorated dues.

C. Membership status

1. Members in Good Standing Must:

- a. Complete an orientation dive.
 - 1) The orientation dive will include a review of club policies, safety information, and tank house procedures.
 - 2) The orientation dive is not required for divers completing a dive course at Kwajalein Atoll.
 - 3) Anyone who has not been diving at Kwajalein Atoll for a period of more than 1 year will require a new orientation dive before resuming diving.
- b. Have a signed KSC Release of Liability Form on file with the Club.
- c. Have a signed Safe Diving Standards Statement on file with the Club.
- d. Be current on all dues and fees owed to the Club. The current fees are published in the Schedule of Dues, Fees, Wages, and Salaries.
- e. Have viewed the Unexploded Ordnance Video.

2. New Members

- a. All new members shall, within six (6) months of joining the Club, provide proof of having an Advanced Open Water or equivalent or higher certification.

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- 1) The requirement may be met by showing proof of prior certification upon joining the Club, or by completing a course within 6 months of joining the Club.
- 2) Persons who are not eligible to take an Advanced Open Water course by reason of age are exempt from this requirement. Once eligible to take the course, the member must complete it within six (6) months. Eligibility to take the Advanced Open Water course is determined by the certifying agency.

3. Renewing Members

- a. Must attend the annual safety training seminar and view the Unexploded Ordnance Video.
 - 1) The Club shall provide three (3) safety training seminars and view the Unexploded Ordnance Video.
 - 2) Failure to attend any of the safety seminars is cause to be placed in delinquent status.
 - 3) The requirement for the safety seminar can be met by attending a safety seminar conducted by a member of the Dive Supervisor Council. (DSC)



NOTE: AT-LARGE MEMBERS OF THE DSC ARE NOT AUTHORIZED TO CONDUCT SAFETY TRAINING SEMINARS.

4. Inactive Members

- a. Divers who are temporarily unable to dive for medical or other reasons may request to be placed on inactive status.
- b. Inactive members are not permitted to SCUBA dive at Kwajalein Atoll.
- c. Inactive members are not required to pay dues.
- d. Inactive divers may become Members in Good Standing by requesting a status change and meeting all requirements for Members in Good Standing as outlined in Section III.C.1
- e. Requests for a change of status to or from Inactive Diver should be made to the Club Secretary.

5. Delinquent Divers

- a. Divers who do not meet the requirements to be Members in Good Standing and have not requested to be placed on the Inactive Diver List will be placed on the Delinquent Diver List at the tank house and are not permitted to use Club resources.
- b. Delinquent Divers may become Members in Good Standing by meeting all the requirements for Members in Good Standing, paying all back dues, and a reinstatement fee.

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6. Bad Divers

- a. Bad Divers have been suspended from SCUBA diving or expelled from the Club under procedures in Article XII.
- b. Bad Divers are not permitted to use Club resources.

MEMBERSHIP PRIVILEGES

A. Members in Good Standing

1. May dive at Kwajalein Atoll, use Club facilities, participate in Club activities, vote on issues and in Club elections, and hold office in the Club.
2. Roi-Namur residents, who are members in Good Standing of the Roi-Namur Dolphins SCUBA Club, are extended the privileges of Club membership, except for voting rights and holding Club office.
 - a. For the purpose of this article, residency is determined by the member's home mailing address as listed in the USAG-KA Post Office locator database.
 - b. Exemption to this paragraph may be granted by the Executive Council on a case-by-case basis.
3. Members in Good Standing who have provided proof of enriched air certification, completed an enriched air orientation, and paid an enriched air fee for the current year or temporary membership period are permitted to use club enriched air tanks and have private tanks filled with enriched air.
4. Roi-Namur Dolphin Members who are extended Club membership privileges by the KSC may use enriched air after completing the same requirements as KSC members granted enriched air privileges.

ARTICLE IV

ELECTED OFFICERS

A. Number of Elected Officers

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


B. Election of Officers

1. Elected officers shall be elected at the December meeting.
2. Election shall be by plurality of the general members voting.
 - a. The current or acting President's vote shall be used in case of a tie unless a conflict of interest is involved, in which case the Executive Council (EC) shall choose someone to cast the tie breaking vote.

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3. A proxy vote may be accepted specifically if a KSC member is a current resident but has left the Kwajalein Atoll for Vacation, Medical, or TDY overlapping the night of the May vote and for no other reason.
4. The proxy request shall be facilitated by member sending a letter and/or email with proof of absence to both the KSC Secretary and KSC Treasurer for verification and ballot submission.

 NOTE: THIS PRECLUDES SOME ANONYMITY OF VOTING BUT STILL ALLOWS THE MEMBER'S VOTE TO COUNT BY PROXY AT THE MAY MEETING.

C. Term of Office

1. The term of office shall begin on January 1, and run until December 31.
2. If any officer is unable to complete his term, the remainder of the EC shall appoint a replacement at the next Club meeting.
3. Appointment ratification is by plurality of the general members voting at the meeting.

D. Qualifications

All officers must be Members in Good Standing of the Club.

E. Duties

1. Elected officials will promote the progress, activities, and general welfare of the Club.
2. Elected officials will attend meetings of the Club and the EC.
3. Elected officials will select the appointed officers.
4. **The President shall:**
 - a. Preside over all Club and EC meetings.
 - b. Appoint committees as required for the Club welfare.
 - c. Convene a meeting of the DSC in the absence of the Chief Dive Supervisor.
 - d. Review tank house maintenance logs and air tests semi-annually.
 - e. Furnish an inventory of Club property to the Membership at the December meeting on an annual basis.
5. **The Vice President shall:**
 - a. Act in the absence of the President.
 - b. Perform other duties as delegated by the President.
6. **The Secretary shall:**
 - a. Be responsible for Club correspondence and maintain a permanent file.

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- b. Keep minutes of the Club and Executive Council meetings and maintain permanent file.
 - c. Provide USAG-KA safety with a list of new members and their addresses monthly
 - d. Notify members of delinquency in dues and fees.
 - e. Maintain and publish current Club membership rosters, including lists of delinquent, inactive, and bad divers, and maintain a record of orientation dives for DSC records.
 - f. Obtain and post in the tank house a list of Roi-Namur Dolphins members at least semi-annually.
- 7. The Treasurer shall**
- a. Maintain a record of all money owned by the Club.
 - b. Collect payment of dues and fees.
 - c. Make payment of all Club bills.
 - d. Maintain the financial records for the Club for at least 3 years.
 - e. Maintain and publish the current, approved Schedule of Dues, Fees, Wages and Salaries.
 - f. Shall have an independent audit performed at a minimum of every two years.
- 8. Newly Elected Treasurer:**
- a. 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.
 - b. The newly elected Treasurer shall also arrange for an audit in accordance with current USAG-KA regulations.

ARTICLE V

APPOINTED OFFICERS

A. Number of Appointed Officers

There shall be seven appointed officers:

- a. Chief Dive Supervisor
- b. Safety and Training Officer
- c. Dive Locker Officer
- d. Environmental Officer
- e. Event Coordinator Officer
- f. Pacific Club Manager
- g. Web Master



B. Appointment

1. Chief Dive Supervisor:
Shall be recommended by the members of the Dive Supervisor Council (DSC) by a simple majority of members present at a meeting and *must* be approved by the elected Club officers.
2. All other appointed officers:
Will be appointed by the elected club officers and approved by a simple majority of the members present at a regular club meeting.

C. Term of Office

1. The appointed officers term of office shall run from the candidate's acceptance of the appointment until the first regular Club meeting conducted by the newly elected President.
2. Should an appointed officer be unable to complete the term, the EC will assume the duties of the office until a new officer is appointed according to Section B of Article V.
3. If there are multiple volunteers for a position, the decision is put to the general membership. If there is only one volunteer they will be appointed to the position without prejudice.

D. Qualifications

1. All appointed officers must be Members in Good Standing of the Club.
2. The Chief Dive Supervisor must be a member of the DSC, and cannot be an at-large member of the DSC.
3. The Safety and Training Officer (STO) shall be an instructor in current status with his certifying agency.
 - a. If no instructor seeks appointment of the STO position, the EC may receive applications for a Dive Master in active status serving on the DSC and make that appointment for one year.



E. Duties:

1. Chief Dive Supervisor:

- a. Shall be Chairman of the DSC and represent the DSC in Club matters.
- b. Shall schedule meetings of the SDC at least quarterly.
- c. Select DSC members to supervise all Club events involving water activities and ensure that there is an adequate number of Dive Masters present.
- d. Maintain the DSC Member Manual and ensure that DSC members adhere to the requirements of the manual
- e. Ensure expedient reporting of possible violations of the Club Constitution, bylaws, and USAG-KA Regulation 385-9 to the EC.

2. Safety and Training Officer:

- a. Coordinate Club training activities related to diving safety, including the required annual safety briefing.
- b. Investigate possible violations of the Club constitution, bylaws, and USAG-KA Regulation 385-9.
- c. Investigate diving accidents, incidents, and near-misses, even if violations are not suspected.

3. Dive Locker Officer:

- a. Purchase and inventory refreshments for Club functions.
- b. Purchase, inventory, and sell Club merchandise.
- c. Maintain all Club owned equipment except that controlled by the Tank House Manager.

4. New Dive Locker Officer:

- a. A newly appointed Dive Locker Officer shall audit the records of the outgoing Dive Locker Officer and submit a detailed written report to the new Executive Council for approval.

5. Environmental Officer:

- a. Promote environmentally responsible diving practices.
- b. Organize the placement, maintenance and use of buoys at dive sites.

6. Event Coordination Officer:

- a. Organize volunteers and lead traditional KSC events such as the Under Water Pumpkin Carving, Under Water Turkey Hunt, SCUBA Santa, and Under Water Easter Egg Hunt.
- b. Promote ideas for member vote for new events which promote SCUBA diving and a positive KSC community image.



7. Pacific Club Manager:

- a. Oversees all operations at the Pacific Club.
- b. Responsible to the EC via the Club President.
- c. Develops and maintains written procedures for all Pacific Club work in conjunction with the EC.

8. Web Master:

- a. Maintain and update the KSC Website.

ARTICLE VI

COMMITTEES

A. Executive Council (EC)

1. The EC consists of the elected and appointed Club officers. The four elected officers and the Chief Dive Supervisor (CDS) are the only voting members of the EC. The CDS shall vote only in the event of a tie.
2. A letter of the names and posts of all EC members will be sent to USAG-KA Logistics Support Division.
3. A quorum is comprised on attendance of no less than 50% of the Executive Council, at least two of whom must be elected officers.
4. The duties of the EC shall be:
 - a. To promote the progress, welfare, and activities of the Club.
 - b. To conduct the business of the Club as directed by the membership.
 - c. To approve and rescind DSC member appointments as recommended by the DSC membership.
 - d. To conduct investigations into violations of club constitution, bylaws and USAG-KA Regulation 385-9 and to sanction Club members if violations are found to have occurred, according to the procedures in Article XII.

B. Dive Supervisor Council (DSC)

1. The purpose of the DSC is to supervise SCUBA diving activities by Club members to ensure safe diving.
2. All Club events involving water activities must be supervised by DSC members, with one DSC Dive Master for each fifteen (15) divers or snorkelers, or portion thereof, and a minimum of two (2) Dive Masters.
3. To be a member of the DSC, a diver must be nominated by the DSC by majority and be confirmed by the EC. In addition, the diver must be:
 - a. A Member in Good Standing of the Club.

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- b. Certified as a Dive Master or higher certification.
 - c. Current with their certifying agency, be insured, and list the Club and an additional insured on their insurance.
 - d. Dive Masters must provide proof of current agency membership and insurance to the Chief Diver Supervisor annually.
 - e. Dive Masters not providing such proof will be removed from the DSC.
4. Have a valid Commercial Activities License for dives.
 5. Be experienced and knowledgeable in SCUBA matters, and have been diving at Kwajalein Atoll as a Club member for at least six (6) months.
 6. Be of sound judgment, good moral character, capable, dependable, safety-minded, and willing to work in Club activities.
 7. Set a good example for other divers.
 8. Assume responsibility for promoting safe diving by Club members and taking necessary actions to correct potentially unsafe situations.
 9. Perform the following DSC member duties:
 - a. Serve as a Dive Master at Club events.
 - b. Perform orientation dives.
 - c. Report all violations of the KSC Constitution, Bylaws, or USAG-KA Regulation 385-9 within 24 hours to the STO or Club President.
 - d. Attend Club and DSC meetings regularly.
 10. The DSC may also have two (2) at-large members, who shall not be Dive Masters or instructors and cannot act as such.
 11. At-large members shall not conduct orientation dives.
 12. At-large members are selected in the same fashion as other DSC members.
 13. DSC Appointments are for a term of one (1) year for at-large members. DSC appointments for Dive Masters are for an indefinite period of time.
 14. The DSC may vote to remove a member from the DSC by a 2/3 majority vote of those present at a DSC meeting after giving the member one (1) month notice of the intent to vote for removal.

ARTICLE VII

SCUBA DIVING INSTRUCTION

- A. Instructors must inform the Club Executive Council of intent to teach before any instruction can begin.
- B. Instruction in SCUBA diving may only be undertaken by persons holding instructor ratings in teaching status from a nationally sanctioned SCUBA certification agency.
- C. All instructors using Club equipment and tanks must be members of the Club.
- D. Instructors must carry insurance and must list Club as an additional insured on their

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insurance policies.

1. Copies of the current instructor certification and insurance must be supplied to the Chief Dive Supervisor annually.
- E. Instructors must adhere to the standards and policies of their certifying agency. Violations of agency standards will be reported to the certifying agency.
- F. Instructors receiving compensation for teaching must have a valid Commercial Activities License.
- G. Students receiving instruction beyond the Open Water Diver level must be members of the Club or the Roi-Namur Dolphins SCUBA Club.
- H. If a student is not a member of the Club, the instructor must:
 1. Ensure that the student signs a KSC Liability Release Form, a Safe Diving Standards Form, and a Club enrollment form prior to any in-water activities or use of Club tanks or equipment. The instructor should retain these forms until termination of instruction, and then forward them to the Club Secretary.
 2. No payment is due to the Club if the student is not able or not willing to join the Club.
 3. Students joining the Club must receive the same information on Club and USAG-KA rules and policies as is included in an orientation dive.

ARTICLE VIII

TANK HOUSE OPERATIONS

A. Tank House Manager

1. Oversees all operations at the tank house.
2. The Tank House Manager is paid a monthly salary for managing the tank house and an hourly wage for tank filling, inspections, and other administrative duties. The amount of the salary and wages is listed in the Schedule of Dues, Fees, Wages, and Salaries.
3. Responsible to the EC via the Club President.
4. Develops and maintains written procedures for all tank house work in conjunction with the EC.
5. May select other individuals to work under him as tank fillers. These people are paid a wage for their work, according to the Schedule of Dues, Fees, Wages and Salaries.

B. Tank House Security

 NOTE: VIOLATION OF THIS SECTION SHALL SUBJECT MEMBERS TO DISCIPLINARY ACTION AS SET FORTH IN ARTICLE XII.

1. All members will consult the Members in Good Standing before removing tanks to ensure that they are not supplying air to non-members, delinquent members,

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inactive members, or bad divers.

2. The tank house door combination will be changed a required.
 - a. All members in good standing will be notified as soon as possible of the new combination.
3. Club owned tanks are to be returned to the tank house within twenty-four (24) hours of removal unless special permission is obtained.
4. Members may be required to sign out tanks or be checked against a list of members in good standing to get tanks.
5. The combination to the enriched air portion of the tank house will be given only to members with enriched air privileges and tank house workers.
 - a. Members with enriched air privileges will consult the Enriched Air Divers List to ensure that only members with enriched air privileges have access to enriched air tanks.

ARTICLE IX

FUNDS

A. Wages and Salaries

1. Current wages and salaries are listed on the Schedule of Dues, Fees, Wages and Salaries.
2. Changes to wages and salaries can be approved by a simple majority vote of members attending a meeting.

B. Fees and Dues

1. Types of Dues and Fees:
 - a. Annual Dues:
 - 1) Charged to each member on January 1 and will be deposited into the KSC general fund.
 - a) New members joining after January 1 will have their dues pro-rated at the rate of 1/12 the annual dues per month for each month remaining in the membership year.
 - 2) Members wishing to use enriched air will be charged an enriched air fee on an annual basis for regular members or a one-time fee for temporary members.
 - b. Compressor Fees:
 - 1) Paid by each new regular member.
 - 2) Paid annually by all members if the current amount in the compressor fund is less than \$25,000.

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- 3) Compressor fees are deposited in the compressor fund.
 - c. Orientation Dive Fees:
 - 1) Charged to each new member requiring an orientation dive.
 - 2) Orientation Dive Fees are deposited into the general fund.
 - d. Reinstatement Fee:
 - 1) Charged to any member in delinquent status upon return to good standing.
 - 2) Reinstatement Fee is deposited into the general fund.
 - e. Personal Tanks:
 - 1) Members owning tanks will be charged an annual maintenance fee for each tank, and may be charged for hydrostatic testing when required.
 - 2) Tank maintenance fee is deposited into the tank house fund.
 - f. Temporary Members:
 - 1) Will not be charged monthly dues or the compressor fee, but will pay a temporary membership fee.
 - 2) Temporary members may also be required to pay an orientation dive fee.
 - 3) Temporary Member fees are deposited into the general fund
 - 4) EC members may waive the temporary membership fee and orientation dive fee for special visitors.
2. Current Fees and Dues:
 - a. Current fees and dues are listed on the Schedule of Dues, Fees, Wages and Salaries.
 - b. Executive Council will not pay dues for each full month they are in office.
 - c. Members eighteen (18) or less will pay the monthly dues and compressor fee at half the rate of all other members.
 - d. Changes to fees and dues can be approved by a simple majority vote of members attending a meeting which has been advertised in the Hourglass as a Dues Meeting as specified in Article X.

C. Control of Funds

NOTE: NO LIABILITY WILL BE INCURRED NOR ANY EXPENDITURE MADE IN EXCESS OF THE LIQUID CASH ASSETS ON HAND AT THE TIME OF THE EXPENDITURE.

1. The Treasurer is responsible for maintaining all Club accounts.
2. Withdrawal of funds from any Club account requires the signature of two club officers. The Treasurer should be one of the officers when possible.
3. The Club's general fund will be deposited in a checking account selected by the EC and approved by the membership at a regular meeting.

D. Special Accounts

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1. The Club will have a number of special accounts, which may be separate checking accounts or memo accounts within the Club's primary checking account.
2. Moving funds from the general fund to the special fund requires a majority vote of the members present at a meeting.
3. Use of the special funds is only permitted for the purposes specified for that fund.
 - a. The manager of the fund has authorization to expend monies within the fund with oversight of the EC.
 - b. Approval of the membership is not required.
4. Realized profits in excess of \$2000 in any special fund may be transferred back to the general fund by majority vote of the EC.
5. Upon termination of any special fund, any monies in the fund will be transferred back to the general fund.
6. **Special Funds:**
 - a. **Dive Locker Account**
 - i. Managed by the Dive Locker Officer.
 - ii. Funds may only be used to purchase Club merchandise for resale and to pay operating expenses of the Dive Locker.
 - iii. Funds collected from sale of Club merchandise will be deposited in the dive locker account.
 - b. **Tank House Account**
 - i. Managed by the EC.
 - ii. Funds may only be used to operate and maintain the tank house, including the payment of wages and salaries, routine maintenance of compressors, parts for SCUBA tanks, and expendable supplies used in the operation of the tank house.
 - c. **Pacific Club Account**
 - i. Managed by the EC.
 - ii. Funds may only be used for the operation and maintenance of the Pacific Club.
 - iii. Funds collected for use of the Pacific Club will be deposited into this account.
 - d. **The Buoy Account**
 - i. Managed by the Environmental Officer.
 - ii. Buoy account funds may only be used for the installation, replacement, and maintenance of mooring buoys at dive sites.
 - e. **The Compressor Fund**
 - i. For the replacement or major repair of compressors or other major tank house equipment.
 - ii. If the compressor fund is less than \$25,000 as of 1 December, all members will be required to pay a compressor fee that year upon renewal of membership.

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- iii. Funds collected in excess of \$25,000 will be transferred to the tank house account.

f. The Promotional Fund

- i. Managed by the Treasurer; membership approval is required for donation.
- ii. Funds will only be used for club donations, e.g. Yearly Scholarship(s).
- iii. Funds collected for the Promotional Fund will be deposited into this account.

7. The EC shall be authorized to expend Club funds up to \$500 without special approval of the club membership. The spent funds will be accounted for in the next general club meeting.

- a. No liability will be incurred nor any expenditure made in excess of the liquid cash assets on hand at the time of the expenditure.

E. Dissolution of the Club

In the event of the dissolution of the Club, the Executive Council shall use all funds in the treasury to meet all outstanding debts, liabilities, and obligations of the Club. Any remaining funds will be divided among all members in good standing, with members 18 years and younger receiving no more than 50% of the amount received by those 19 years and older.

F. Taxes

The Club is not currently required to pay taxes.

ARTICLE X

MEETINGS

A. Meeting Announcements

All regular and special meetings will be announced publicly with the widest variety of available means employed, to include the Hourglass.

B. Regular Meetings

1. Regular business meetings shall be held monthly at such time as is directed by the Club President.
2. Meetings at which the election of officers is conducted, changes to the Constitution and bylaws or dues and fees are scheduled shall be announced at the preceding regular meeting. And the nature of the special business to be conducted shall be announced along with the meeting.

C. Special Meetings

Special Club meetings may be called by the EC whenever necessary.



ARTICLE XI

Amendments

- A. Proposals for amendments to the constitution and bylaws coming from the membership shall be referred to the EC for composition and consideration. Such proposals shall be voted on at the next regularly scheduled meeting.
- B. Proposals for amendments originating in the EC may be voted on at any meeting announced in advance as a Constitutional Change meeting, as specified in ARTICLE X.
- C. A two-thirds majority of the members present at a regular meeting shall be required to amend the constitution or bylaws.
- D. All constitutional changes shall be submitted to the USAG-KA Commander or the Commander's designee, as required by Army Regulation 210-22, Paragraph 2-1.

ARTICLE XII

MISCONDUCT

- THE CLUB CAN AND WILL SANCTION MEMBERS FOR MISCONDUCT, TO INCLUDE VIOLATIONS OF THE CONSTITUTION, BYLAWS, USAG-KA REGULATION 385-9, SECTION 8, AND UNSAFE DIVE RELATED BEHAVIOR.**

A. LEVELS OF SANCTIONS:

There are three levels of sanctions that may be applied to a member:

1. WARNINGS:

- a. Shall be issued for minor cases of misconduct, violation of Constitution, bylaws, USAG-KA Regulation 385-9, Section 8, and unsafe dive-related behavior.
 - 1) Warnings shall be in writing, with one copy provided to the affected club member and one copy kept in the Club's files.
 - 2) Repeated warnings shall be cause for suspension or expulsion.

2. SUSPENSIONS:

- a. Shall be issued for cases of misconduct, violation of Constitution, bylaws, USAG-KA Regulation 385-9, Section 8, and unsafe dive-related behavior.
 - 1) Suspended divers are not permitted to use club tanks or facilities, nor attend Club events.
 - 2) Any member found diving with a suspended member will be suspended.
 - 3) Failure to cooperate with a misconduct investigation by the Club by failing to permit inspection of dive computers, dive equipment, dive logs, and items recovered from underwater is grounds for suspension.
 - 4) Length of suspension will be determined by the violations committee, but will not exceed 120 days.

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- 5) Suspensions will be issued in writing with one copy provided to the affected club member and one copy kept in the Club's files.
 - 6) The names of suspended and expelled divers will be furnished to the Roi-Namur Dolphins.
3. **EXPULSION:**
- a. Any member suspended twice in one year will be expelled.
 - b. Any member diving while on suspension will be expelled.
 - c. Any member found diving with an expelled member will be expelled.

B. INCIDENT INVESTIGATION

1. Club members will report violation of Constitution, bylaws, USAG-KA Regulation 385-9, Section 8, and unsafe dive-related behavior to any member of the Executive Council.
 - a. Failure to report violations and unsafe behavior is misconduct.
 - b. The President shall appoint another member of the Executive Council to investigate if the STO is not available.
 - c. After the STO's report is finalized, the President shall inform the accused member in writing of the report of misconduct. The member is required to respond within 7 days of being informed, or within 7 days of returning to the Atoll if not physically present when informed. If no response is received within the 7 days, the member is automatically suspended until the issue is resolved.
 - d. If no response is received within the 7 days, the member is automatically suspended until the issue is resolved.

C. VIOLATIONS COMMITTEE

1. A violations committee shall be appointed by the President upon receipt of the accused member's response and the written result of the STO's investigation. The violations committee shall be composed of members of the Executive Council and the Dive Supervisor Council.
2. The violations committee will have no less than three members.
3. The violations committee will decide if any further action is required, or if any sanctions will be applied to the accused member.
4. A unanimous vote of the violations committee is required for suspension or expulsion of a member.
5. The accused member will be informed in writing of the results of the violations committee meeting within 7 days.



D. APPEALS

1. Appeals concerning the suspension or expulsion of a member shall be made first to the Executive Council.
2. A member unsatisfied with the results of an appeal to the Executive Council may place the matter before the membership at the next regular meeting. A three-quarters majority of the members present is required to reverse the decision of the Executive Council.

E. INFORMING USAG-KA

1. USAG-KA shall be notified of any new investigation by the KSC STO.
2. USAG-KA will be informed of any suspensions or expulsions of members.
3. The report to USAG-KA will include the individual's name, certification level, date of incident, a summary of the incident, and the action taken.

F. INCIDENT SUMMARIES

1. All reports regarding misconduct will be made available to members upon request.
2. The name of the reporting member will be withheld

ARTICLE XIII

MISCELLANEOUS

A. INSURANCE

1. The Club will carry a one million dollar general liability policy in an effort to satisfy Army Regulation 210-22 Chapter 3.
2. Club members may be liable for amounts exceeding the general liability policy.

B. LIABILITY

1. Insurance is maintained by the Club and individual instructors.
2. If assets are not sufficient to cover all liabilities for claims held against the Club, the Club assets will be liquidated to pay such liabilities.

C. LAWS AND REGULATIONS

Club members and Club leadership are expected to comply with all applicable laws and regulations set forth by USAG-KA.

D. EXTREMIST ACTIVITIES

The Club will neither propagate extremist activities nor advocate violence against others or the overthrow of the Government.

Constitution of the Kwajalein SCUBA Club



E. CIVIL RIGHTS

The Club will not seek to deprive individuals of their civil rights.

**APPROVED BY MAJORITY VOTE ON
September 14, 2016**

Michael C. Hayes – President, Kwajalein SCUBA Club
Reviewed on October 12, 2016