

# Encore Swim Team Bylaws

## Article 1 – Membership

Section 1 The Encore Swim Team shall consist of two classes of members:

- A. General Members – parents or guardians of swim team children who have swum for the team a minimum of one season.
- B. Board of Directors
  - a. The Swim Team Board consists of five officers: President, Vice-President, Treasurer, Secretary, and Volunteer Coordinator.
  - b. The President shall have general supervision, direction, and control of the affairs of the swim team subject to the approval of the Swim Team Board, and shall sign on behalf of the swim team all papers necessary for operation the swim team or Valley Aquatic meets.
  - c. The Vice-President shall assist the President and shall serve in the President's temporary absence or disability. The Vice President may also serve in the temporary absence or disability of the other officers.
  - d. The Secretary shall take minutes of Board Meetings, send out correspondence to keep the swim team informed of swim team events, and keep records of Board Meetings.
  - e. The Treasurer shall maintain accurate records of the checking account, provide an up-to-date accounting of revenues and expenses on at least a monthly basis from April through September, and at least on a quarterly basis October through March. The Treasurer shall handle all financial transactions, and prepare an end-of-year financial statement for the swim team. The Treasurer shall work with the Swim Team Board to prepare an annual budget.
  - f. The Volunteer Coordinator shall manage all volunteer committee chairs and ensure volunteer position are adequately staffed.
  - g. Nomination and election to office may be extended to individuals who have been a member since the previous season. The nomination and election to the office of President may be extended to an individual who has served on the Swim Team Board of Directors for at least one year. A general member, duly nominated and elected, may be allowed to serve as President if and only if none of the current Swim Team Board Members who have served for at least one year are able or willing to serve as President.
  - h. Election of officers will take place at the July General Meeting.

- i. Retiring officers shall transition their duties to newly elected officers between the end of the current season and Dec 31 of the current year. Newly elected officers shall assume their duties no later than Dec 31 of the current year. Term of office is one year.
- j. No Board Member shall serve in the same office for more than three consecutive years (i.e., three year term limit shall apply), and such service must be duly authorized via the annual election process held at the July General Meeting.
- k. No two individuals from the same member family may serve on the Board at the same time.

## Section 2. Voting

- A. Only members of the Swim Team Board shall be entitled to vote on swim team business at Swim Team Board Meetings. Each member of the swim team board shall have one vote.
- B. Only Swim Team Members shall be entitled to vote at a General Meeting. Each family shall have one vote.

Section 3 Removal of an Officer: A majority of the Swim Team Board members present at a special meeting duly called and held for that purpose may remove any officer for just cause.

Section 4 Vacancies: Replacement for vacancies in officer positions shall be elected by the Swim Team Board.

## Article 2 Meetings

Section 1 Meetings shall consist of two types of meetings.

- A. General Membership meetings: There will be two General Membership meetings per year. The first meeting will be in March/April and all swim team families of the previous season will be notified in February of the specific place, date and time of the meeting. The second General Meeting will take place in July and swim team Members will be given notice at least seven days in advance.
- B. Swim Team Board of Director Meetings: Meetings may be held in the home of any swim team board member or at another location of their choosing. The first Board meeting will be in January/February with monthly meetings during the swim season ending in July. Notice of all meetings will be given at least seven days in advance and will specify the place, date and time of the meeting.

Section 2 Quorum: The presence of three officers and twelve general members at a General Meeting shall constitute a quorum for the transaction of business. The presence of three or more officers at a Board of Directors meeting shall constitute a quorum for the transaction of business.

Last Updated: September 17, 2013

### Article 3 – Fiscal Year

Section 1. The fiscal year for the Encore Swim Team shall begin on January 1 and end of December 31.

Section 2. The encore Swim Team has an Internal Revenue Service Employers Identification Number (EIN) for checking account purposes.

Section 3. The annual budget will be approved at the General Membership meeting in March/April.

### Article 4 –Miscellaneous Provisions

Section 1. No part of the net earnings, profits, or assets of the Encore Swim Team shall inure to the benefit of any private person or member or officers of the Swim Team Board. End of year team gifts and fund raising prizes shall be duly voted on and agreed to by the Swim Team Board.

Section 2. The Encore Swim Team is a member of the Valley Aquatics League. The teams that make up this league are the Westgate Gators, Los Ranchitos Sharks, Lost Gatos Aquatics, Morgan Hill Aquatics, and Encore Dolphins. Any action to change leagues must be approved by the Swim Team Board.

Section 3. These by-laws may be altered, repealed, or amended and new or traditional by-laws may be adopted by the Swim Team Board upon written notice of the proposed change(s) to be made to members of the Board and a majority vote at a General Membership meeting. Any changes to these by-laws shall become effective immediately following their adoption by a majority vote of the General Membership.

Section 4. The Swim Team Board may adopt rules and regulations for the conduct of their meetings and management of their affairs, as the may deem proper.

Section 5. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Encore Swim Team and this association in all cases in which they are applicable and in which they are not in conflict with these by-laws.

Section 6. New standing rules may be adopted by a majority vote at a General Meeting. Amendments to existing standing rules require a two-thirds vote without previous notice, or a majority with such notice. Standing rules should be procedural rather than parliamentary and may not conflict with the by-laws.

## **Standing Rules**

1. The Encore Swim Team Roster is intended for Swim Team use only. The Swim Team roster is not to be used for solicitation purposes or abused in any way. Any Swim Team Board Member or General Member who violates this rule may be subject to expulsion from the team.
2. Each family will have a signed Swimmer/Parent contract on file for each swim season before swimmers will be allowed to start practice.
3. The Swim Team Board shall have the authority to refuse membership to any swim team family that does not fulfill their obligation to the team as agreed upon in the Swimmer/Parent Contract.
4. At least one member of the Encore Swim Team Board of Directors from the previous or current season shall act a liaison for the pool facility that the Encore Swim Team utilizes. The Swim Team Board may alternatively designate a person from the General membership to fill the liaison role. This liaison role is subject to the approval of the Encore Swim Team Board.
5. Two authorized signatures must be on file with the banking establishment that the Encore Swim Team uses for checking account services. NO two members of the same family or household shall be allowed to have signature authority for the Encore Swim Team checking account.
6. No refunds shall be issued after the first week of practice.
7. Families will have the option of a buyout of \$250 at the beginning of the swim season to be relieved of their shift responsibilities at all meets with the exception of the Championship meet. A parent still must be in attendance at all meets in which their child is competing.

Adopted by the Encore Swim Team

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Encore Swim Team Secretary