

**Saint Johns Summer Swim League  
Association Bylaws  
Amended and Restated  
July 20, 2014**

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# **1 Article 1 –League Association and Board of Directors**

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## **1.1 Mission Statement and Purpose**

### **1.1.1 Mission Statement**

The Saint Johns Summer Swim League is a summer league dedicated to providing quality amateur competitive swimming events for its member teams. The SJSSL promotes good sportsmanship, swimming excellence, and self-esteem in all swimmers with an emphasis in individual progress, team unity, and family participation.

### **1.1.2 Purpose**

The Association was started for the purpose of developing a child's love for the sport of swimming, as well as, swimming skills, team work, and the principles of good sportsmanship. SJSSL is a summer swim league that welcomes all swimmers from novice to more advanced year-round swimmer. All league policies are to center around providing a safe, fun, fair and athletically challenging program for all swimmers.

## **1.2 Board of Directors (BOD) and Governing Procedures**

### **1.2.1 The Association will be governed by a Board of Directors**

The BOD is comprised of a President, Vice President, Secretary, Treasurer, Registrar, Parliamentarian, and **one** league representative, **or their designee, from** each team. The Vice President, Secretary, Treasurer, Registrar, and Parliamentarian may be one of the two representatives for their team. The terms of office for all Board of Directors is one-year. Officers are eligible for re-election. There is no limit on terms outside of the President, Vice President, and Treasurer.

### **1.2.2 Limitation of Liability**

The Board of Directors acts in good faith of the Association and shall be held harmless and not liable for any direct or indirect action or consequence tied to the activities related to the Association or its members. In an effort to support this limitation, the Association will continue to maintain Officer and Director Insurance for individuals serving on the board.

### **1.2.3 Duties of President**

The President shall be the chief executive officer of the Association and shall in general, subject to the control of the Board of Directors, supervise and control the affairs of the Association. The President shall perform all duties incident to his office and such other duties as may be required by law, which may be assigned to him from time to time by the Board of Directors. Specifically, the President shall preside over all meetings of the Association; shall act jointly with the Treasurer to administer the finances of the Association; shall appoint committees and designate their chairman and duties; and, shall serve as Association liaison to host team for the championship swimming meet. The President will act in a non-voting capacity, unless a vote results in a tie. In the event of a tie, the President will cast the tie-breaking vote.

### **1.2.4 Duties of Vice President**

In the absence of the President, or in the event of his inability or refusal to act, the Vice President shall perform the duties of President, and when so acting shall have all the powers of, and be subject to all the restrictions on, the President. He shall have such other powers and perform such other duties as may be prescribed by law, or by these Bylaws, which may be assigned to him from time to time by the Board of Directors. Specifically, the Vice

President shall conduct all meetings of the Association in the absence of the President; shall be responsible for developing methods for the selection and training of officials for the Association's competition; shall act as the chairman of the Annual Review Committee, which validates the applicability and correctness of the current Bylaws, rules, and supplementary information pertaining to the league's proposed activities for that year.

### **1.2.5 Duties of Secretary**

The Secretary shall:

(a) Certify and keep at the principal office of the Association the original or a copy of its Bylaws as amended or otherwise altered to date.

(b) Keep at the principal office of the Association a book of minutes of all meetings of the Directors, recording therein the time and place of holding, whether regular or special, and, if special how authorized, notice thereof given, the names of those present at Directors' meetings, and the proceedings thereof and shall disburse these to the Associations representatives, officers, and coaches within 48 hours after each meeting.

(c) Shall write all correspondence on behalf of the Association and distribute an annual roster of the Association's Clubs, Officers, representatives, and alternates and coaches.

(d) See that all notices are duly given in accordance with the provisions of these Bylaws or as may be required by law.

(e) Be custodian of the records of the Association.

(f) Exhibit at all reasonable times to any Director or elected officer of the Association, or to his agent or attorney, on request therefore, the Bylaws, the roster, and the minutes of the proceedings of Directors' meetings.

(g) Exhibit at all reasonable times to any member, or to his agent or attorney, on written demand therefore for a purpose reasonably related to the interests of such member, the Bylaws, and the minutes of Directors' meetings, and they shall exhibit said reports at any time when required by the demand of ten (10) percent or more of the member clubs.

(h) In general, perform all duties incident to the office of Secretary and such other duties as may be required by law, or by these Bylaws, or which may be assigned to him from time to time by the Board of Directors.

### **1.2.6 Duties of Treasurer**

Subject to the provisions of these Bylaws, the Treasurer shall:

(a) Have charge and custody of, and be responsible for, all funds and securities of the Association, and deposit all such funds in the name of the Association in such banks, trust companies, or other depositories as shall be selected by the Board of Directors.

(b) Receive, and give receipt for, moneys due and payable to the Association from any source whatever.

(c) Disburse or cause to be disbursed the funds of the Association as may be directed by the Board of Directors, taking proper vouchers for such disbursements.

(d) Keep and maintain adequate and correct accounts of the Association's properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains and losses.

(e) Exhibit at all reasonable times the books of account and financial records to any Director or elected officer of the Association, or to his agent or attorney, on request therefore.

(f) Exhibit at all reasonable times to any member, his agent, or attorney, on written demand therefore for a purpose reasonably related to the interests of such member, the books of account and financial records of the Association, and shall exhibit said records at any time when required by the demand of ten (10) percent or more of the member clubs.

(g) Render to the President and Directors whenever he or they request it an account of any or all of his transactions as Treasurer and of the financial condition of the Association.

(h) Prepare, or cause to be prepared, and certify the financial statements to be included in the annual report to members.

(i) If required by the Board of Directors or by the members, give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine.

(j) In general, perform all duties incident to the office of Treasurer and such other duties as may be required by law, or by these Bylaws, or which may be assigned to him from time to time by the Board of Directors. Specifically, he shall keep an accurate record of all revenues and expenditures of the Association; receive and disburse funds on behalf of the Association and jointly administer the finances of the Association with the President. Shall serve as chairman of a budget committee and present to the Board of Directors by the March meeting a budget for the current season for Association approval.

### **1.2.7 Duties of Registrar**

The Registrar shall keep an accurate record of all registrants with the Association and determine the eligibility of registrants for Association participation and competition. The Registrar shall keep an accurate record of all Association records in both yard and metric distances for swimming. The Registrar or their appointed representative shall be responsible for verifying all Association records broken at all Association meets; shall issue Association record certificates for Champ meets.

### **1.2.8 Duties of Parliamentarian**

The Parliamentarian is one who by experience and knowledge is equipped to give correct and accurate advice on matters of Parliamentary Procedure. His first duty is to the President, but may be to the BOD as a whole. The Parliamentarian is responsible for ensuring that meetings follow its agenda and that Robert's Rules are adhered to during Association meetings.

### **1.2.9 Duties of Past President**

The Past President shall act in an advisory capacity to the Association.

### **1.2.10 Association Votes**

Each Association team will have one (1) vote on all issues affecting the Association. A quorum shall consist of at least one half the numbers of the teams in the Association plus one (1). No official votes can be taken if a quorum is not present at a meeting. Proxy votes will be allowed, as outlined in Section 2.1, for purposes other than amending the Bylaws, as outlined in section 1.2.15.

### **1.2.11 Tie Breaking**

The President (or Vice President in the absence of the President) shall be a non-voting member of the Board unless necessity arises to break a tie.

### **1.2.12 President Absence**

The Vice President shall perform the duties of “acting” President in the absence of the President.

### **1.2.13 BOD Meeting Participation**

Only the official members of the Board of Directors are permitted to participate in Board meetings. Non members wishing to address the Board may do so during the general comments section of the meeting or, preferably, by notifying the Association President or Secretary in advance of the meeting and securing a place on the agenda.

### **1.2.14 BOD Elections**

The President, Vice President, Secretary, and Treasurer shall be elected from the Association Representative membership. Elections of the officers shall be during the Final meeting of the year for the Association.

### **1.2.15 Amendments**

Amendments to the Association Bylaws must carry a two thirds (2/3rds) vote of the entire Board of Directors. Other procedural votes need only a simple majority of the quorum present at a meeting. No proxy votes are allowed. Amendments to the Bylaws cannot be proposed and accepted during the same meeting. Amendments must first be proposed and discussed in an open forum at a Board of Directors meeting. Association Representatives must have the opportunity to discuss the changes with their team boards prior to enacting formal changes to the Bylaws. The Board of Directors can temporarily override any specific part of the Bylaws by securing to two thirds (2/3rds) majority at a Board of Directors meeting if it is deemed, by the board, to be in the best interest of the Association and the swimmers.

### **1.2.16 BOD Meeting Times and Notice**

Members will be given a calendar of the years meeting times one month before the beginning of the new Association year. Members must be given seven (7) days notice of an upcoming meeting. Meeting time limit is 2 hours. There will be a motion to adjourn the meeting agenda to the next meeting.

Special Meetings held at the President’s discretion and be declared either executive or regular in nature. These are short notice meeting and have not been scheduled on the calendar. Special meetings shall be held as determined necessary by the President or a majority of the voting members of the BOD. Reasonable effort must be made to provide telephonic, electronic, hard copy, or in-person notice to members at least 24 hours prior to any special meeting.

### **1.2.17 Electing a New Board & Nominating Committee**

A Nominating Committee shall be formed by the President consisting of two members of the Executive Board and two members of the general membership. Nominations will be open to the general membership two (2) weeks before the determined election date. Nominations must be submitted to the Executive Board in writing and signed by the candidate. The Nominating Committee shall set forth and publish a deadline for submission of nominations. The Nominations Committee shall confirm acceptance of all nominated candidates and create a ballot for membership voting. Ballots shall be identified and distributed one per Club, as defined in section 2.1 and to the existing BOD. The President will abdicate the role after one term and Vice President will assume the successive term, but must be confirmed by the current board via a majority vote, with the Vice President abstaining from the vote. No more than two positions on the BOD may be held by one team. The Treasurer will serve no more than two consecutive terms, but must be reconfirmed after their initial term by the current BOD.

### **1.2.18 Association Committees**

The Board of Directors charters several standing committees and shall, as the need arises, charter more to make recommendations on issues affecting the Association. The committees are advisory in nature and do not set Association policy. They are, however, an integral part of the Association policy making process and provide critical input to the Board of Directors who is ultimately charged with policy formulation.

#### **Potential Committees**

The President, as provided for under his duties and elsewhere in these Bylaws, shall appoint various standing and other temporary committees as needed to conduct the business and activities of the Association.

The Standing Committees to be appointed are: Championship Meet & Competition and Awards. Duties of each and method of composition is defined by the BOD annually.

The President shall appoint a committee at the conclusion of each season to review all actions of the Association during that season and to update the Association's Bylaws and/or operating procedures accordingly.

### **1.2.19 Meeting Governance**

Meeting will be governed by the Robert's Rules of Order.

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## **2 Classes of Membership and Rights**

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### **2.1 Membership Class**

There shall be one (1) class of membership, as follows: Member clubs or organizations, hereafter called "Clubs". The Association shall be limited to an appropriate number of Clubs, and the membership, voting, and other rights, interests, and privileges of each Club shall be equal and as more fully set forth hereafter. Each Club shall designate a Club representative to serve as a Director and attend Association meetings. Each Club shall have one vote. The vote shall be delegated to an official representative of the Club. Each Club shall designate to the Association their official representative and alternates, which shall be individuals and the Association President. Teams may add a 3rd alternative, as a non-voting representative, but may present proxy vote for that absent member.

#### **2.1.1 Other Affiliations**

The Association may be a member of U.S. Swimming or similar organizations. The member Clubs of the Association, at their discretion, can be members of U.S. Swimming or similar organizations.

### **2.2 Club Mascot**

Each Club shall submit for the Association's approval, their choice of team mascot. Clubs desiring to change mascot must do so with the Association's approval.

### **2.3 Member Qualifications**

Qualifications for membership will include:

- i. Established swim program
  - o Necessary personnel Coaches, computer operators, and required support staff
  - o Governing body
- ii. Competitive number of swimmers
- iii. Adequate facilities for dual meets
  - o Competition pool, including competition lane lines, backstroke flags, etc.
  - o Computer system and league designated software for running and scoring meets
  - o Any necessary equipment as deemed necessary by the Association
- iv. Organized coaching program.
- v. Demonstrated parental and / volunteer support.
- vi. Adequate insurance to host practices and meets, with proof of insurance, with SJSSL named as additional insured, on file with the SJSSL by May 1<sup>st</sup> of each calendar year.

### **2.4 New Admissions**

Admission of a new Club for membership in the Association shall be as follows:

(a) Upon application for membership in the Association by a new Club, the President shall appoint, subject to the approval of the Association, a committee consisting of three (3) people to review and screen all prospective Club applicants for membership in the Association and make an appropriate recommendation to the Board of Directors at the earliest opportunity. The application shall be on such form as shall be prescribed from time to time by the Board of Directors, provided, however, that such form shall contain the statement that the applicant Club has read the Bylaws, and Rules of the Association, that it is familiar with and understands them, and that if admitted to membership, it agrees to be bound thereby.

(b) Any Club recommended for membership, shall be voted on by member Clubs, and if selected shall be admitted to the Association on a probationary period for one swim season at which time a final vote to admit that

Club shall be taken by the Clubs at the final Association meeting for that year . Clubs on probationary status will not have a vote at Association meetings, but must be represented.

(c) More than one third negative vote by member Clubs voting through a secret ballot shall be required to prohibit probationary Club/Clubs from becoming permanent appointments.

(d) A Club admitted on a probationary basis shall be required to pay the initiation fee (see Section 2.5) and will be subject to all of the rules and regulations governing Clubs in the Association.

## **2.5 Fees Dues and Assessments**

(a) There shall be Association dues for each individual participant to be paid by sponsoring Club at the times of registration, but no later than April 15<sup>th</sup>. Association registration and dues will be audited by the Treasurer July 1 and any adjustments must be made within 7 days. Teams that are delinquent on their adjustment will face a 10% penalty of funds owed and be suspended from Championship meet registration until the account is balanced.

(b) The amount of such fees for Association dues will be set each year by the Directors of the Association.

(c) The Association dues for each participant need be paid only once per season.

(d) Association dues for Association participants shall be sent by check to the Association's Treasurer of swimming.

(e) Dues (and assessments) paid to the Association become the property of the Association and any severable or individual interest of any Club therein terminates on such payment.

## **2.6 Termination of Membership**

(a) By Resignation. The membership of any member Club of the Association shall automatically terminate on its written request for such termination delivered to the President or Secretary of the Association personally or by United States mail. Such membership terminates when the request is received, provided, however, that such termination shall not relieve the resigning member of the obligation to pay any dues, assessments, or other charges theretofore accrued and unpaid.

(b) By Nonpayment of Association Dues or Assessments. The membership of any member Club that fails to pay its dues or assessments when they become due and within thirty (30) days thereafter shall automatically terminate at the end of the such thirty day period, provided it was given written notice, delivered to its representative personally, via e-mail, or by United States Mail certified letter within ten days before the due date that such dues or assessments were due and payable as of said due date. In the event that such written notice is not given as herein required, then such membership shall automatically terminate for nonpayment of dues or assessments only if they are not fully paid within thirty days after such written notice is eventually given and delivered to its Representative in person or deposited in the United States mail, postage prepaid, and sent to them at their address as it appears on the books of the Association.

(c) Rights on Termination. All rights and interests of a member Club in the Association shall cease upon termination of membership as herein provided.

(d) Reinstatement. Any member Club whose membership is terminated as provided in this section may have its membership reinstated on such terms as the Board of Directors may deem appropriate by filing a written request therefore with the President or Secretary of the Association or with any Director and on approval of the

request by a majority of Directors present at the meeting at which the request is considered, provided that such request shall not be considered at any meeting at which a quorum is not present.

## 2.7 Suspension and Expulsion

(a) The Board of Directors is authorized, as herein provided, to censure either privately or publicly, suspend from membership for a period of time of not more than one (1) year, or to both censure and suspend and fine, or expel from membership any member Club, participant, coach, official, or other representative of this Association for good cause. The term member as used in the following paragraphs shall mean any of the persons or entities named in this paragraph.

(b) "Good cause," as used in this section, means:

(i) Any conduct that brings the Association into public disrepute or violates the purposes for which this Association is formed;

(ii) Any willful failure or refusal to abide by the Bylaws, or Rules of this Association;

(iii) Any willful failure or refusal to abide by the terms of an award in any arbitration proceeding under the terms of this Article after having agreed in writing to do so and after having received notice of the award;

(iv) Any willful failure or refusal to pay any assessment levied pursuant to the provisions of this Article; or

(v) Any willful failure or refusal to abide by the Code of Ethics of the National Association if there may be one.

(vi) Any conduct which, in the opinion of the Board of Directors, is prejudicial to the Association's welfare, good order, and discipline therein, or purpose of promoting good sportsmanship, physical fitness and team spirit.

(c) Definitions.

(i) A "*private reprove*" is a reprove in letter form, signed by the President of the Association, and sent to the subject member by certified or registered mail, return receipt requested. A copy of the letter and the return receipt shall be filed with the minutes of the Board meeting imposing discipline.

(ii) A "*public reprove*" is the same as a private reprove except that in addition to sending a letter to the subject member and filing a copy thereof, together with the return receipt, with the minutes of the Board meeting imposing discipline, a copy of the letter is read to the membership at the next following regular meeting at which a quorum is present.

(iii) A "*suspension*" requires compliance with Subparagraph (ii) hereof and in addition all voting and other rights of the member during the term of its suspension are terminated, provided, however, that such member shall not be relieved of any liability for payment of dues or assessments falling due or levied during the period of suspension.

(iv) An "*expulsion*" requires compliance with Subparagraph (ii) hereof and in addition thereto the membership of the member in this Association is immediately and conclusively terminated, provided, however, that such member shall not be relieved of any liability for the payment of dues and assessments accruing prior to the hearing on the charges against him as herein provided

(v) A "*fine*" may be imposed separately, in which case compliance with Subparagraph (i)

thereof is required, or it may be imposed in addition to a public reprove or suspension.

(d) Procedure:

(i) Proceedings against a subject member may be initiated by resolution of the Board of Directors adopted at any meeting at which a two-thirds majority is present.

(ii) On adoption of the resolution, the President, or if he is unable or refuses to act, the Vice-President, shall schedule the matter to be heard by the Board of Directors at the next regular or special meeting held not less than twenty (20) days nor more than forty (40) days after the date the resolution is adopted as the case may be. The Secretary, or other person appointed by the President for the purpose, shall deliver at least ten (10) days prior to the date of the hearing a copy of the resolution, together with a notice of the time and place of the hearing, to the subject member either in person, via e-mail, or by United States mail addressed to him at his address as it appears on the books of the Association. Should the person whose duty it is to serve the notice fail or refuse to do so, such copy and notice may be delivered as herein provided by any Director of the Association, and in such event the matter shall be heard at the next regular or special meeting of a quorum is present held not less than ten (10) days after the copy and notice are personally delivered or deposited in the United States mail. If a quorum fails to attend such meeting, the matter shall be heard at the next succeeding regular meeting or special meeting, provided, however, that if a quorum fails to attend such next succeeding regular or special meeting, the matter against the subject member shall be dismissed. Such dismissal shall be automatic and final, except that the alleged conduct of the subject member giving rise to the proceeding may be considered in any subsequent proceeding under this section based on future alleged misconduct.

(iii) Notwithstanding any other provision in these Bylaws, notice of the meeting at which the hearing is first scheduled or subsequently scheduled shall be given to all Directors as required by these Bylaws for special meetings of Directors.

(iv) The hearing shall be informal and the rules of evidence and rules of judicial procedure need not be observed. The hearing shall be presided over by the President of the Association who shall (1) read the charges against the subject member; (2) require that the charges be verified by the testimony of the person or persons making them; (3) hear any other witnesses against the subject member; (4) allow the subject member to cross-examine each witness; (5) allow the subject member to make a statement in its own behalf; (6) allow the subject member to call witnesses in its own behalf; (7) allow the Directors present, when and as recognized by the chair, and subject to the control of the chair, to question witnesses, and (8) rule on the admission and exclusion of evidence and on questions of hearing procedure

(v) After the hearing has closed, the Directors shall vote on whether to impose discipline or dismiss the matter. If they vote to impose discipline but cannot agree on the nature and extent thereof, the discipline shall be a private reprove as herein provided. The vote imposing discipline or dismissing the matter shall in either event be final.

(e) An expelled member shall not be eligible for readmission to the Association prior to the expiration of one (1) year from the date of its expulsion.

(f) All rights of the subject member in the Association or in its property shall cease on its expulsion.

## **2.8 Transferability of Membership**

Membership in this Association is nontransferable and non-assignable.

## **2.9 Right to Inspect Records**

All records of this Association shall be open to inspection on the written demand of any member at any reasonable time for a purpose reasonably related to its interests as such.

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## **3 General Rules**

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### **3.1 Meet Rules**

These rules are specifically designed for closed meets within the Association and shall govern the conduct of all swim meets scheduled, sponsored, or sanctioned by the Association. Rules for strokes, disqualification, duties of officials, judging, and similar matters are modified from United States Swimming Association.

### **3.2 Association Clinics**

The Association will conduct all official clinics prior to the first meet of the season. The President of the Association will be responsible for organizing this clinic. Each team should have a representative present in each area being reviewed. Areas typically include training for Stroke and Turn Judges, starters, volunteers, and computer operators. Teams are encouraged to work new officials in an unofficial capacity under the instruction of more experienced officials until they acquire the experience necessary to work without supervision.

### **3.3 Good Judgment**

Nothing in these rules is intended to replace good judgment and common sense to insure that all swimmers have the opportunity to compete in the Association's swimming program.

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## **4 Competitor Eligibility**

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### **4.1 Non Discrimination**

The Association shall not discriminate against any swimmer. Make sure before the start of each meet all children with either a physical or neurological handicap have accommodations.

### **4.2 Team Rules**

Swimmers are bound by the existing Bylaws of their individual teams. No swimmer may compete for a team in a meet until eligibility criteria for both the Association and the individual team are satisfied.

### **4.3 Team Membership**

Each Swimmer shall be an actual member of an Association that is an active member of the St. John 's Summer Swim League. All swimmers with St. John's Summer Swim League whose neighborhood is an active member of St. John's Summer Swim League will swim with their neighborhood swim team. At no time will any swimmer be allowed to swim with (**ANOTHER**) active member of St. John's Summer Swim League if the neighborhood is an active member of SJSSL.

For swimmer's who swim for a (**YEAR ROUND SWIM CLUB**) the Swimmers' team attachment or un-attachment to a year round swim club will be determined at the sole discretion of the individual swim club and will not be determined by SJSSL. SJSSL will hold no bias on swimmers who swim for other competitive clubs.

### **4.4 Swimmer Age**

The eligibility of swimmer to compete in a particular age group shall be determined by their age on June 1 of the current swim season. The swimmer will compete for the entire season in the same age group based on their age on June 1 of that year.

### **4.5 Roster Documentation**

Each team will maintain an up-to-date roster of its swim team members, containing the following information: (1) swimmer name, (2) date of birth, and (3) sex. Copies of the roster shall be supplied to the Association Registrar and Association treasurer by the beginning of the season. Teams may add or delete from this list during the season, but any additions must be submitted to the Association Registrar and Association Treasurer by July 1. Only swimmers formally registered with the Association may participate in Association sponsored swim meets. Association fees must be paid at the meeting following the time the swimmer has joined.

### **4.6 Regular Season Rules and Procedures**

Regular Season Rules and Procedures will be issued prior to the beginning of each swim season.

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## **5 Dissolving of the Association**

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### **5.1 Dissolution of the Association and Its By Laws**

The Association may elect to dissolve itself via majority vote of a present quorum. Any assets and funds that remain in the Association's holding, after all Association liabilities have been settled, will be distributed equally among all teams who are members in good standing at the time of dissolution. If any team has outstanding liabilities with the Association, its equivalent share of assets will be applied to those outstanding liabilities before any credit will be issued.