

Wells Branch Armada Swim Team

BY-LAWS

PREAMBLE

The Wells Branch Armada Swim Team shall provide an enjoyable, affordable summer activity for young swimmers in Wells Branch and surrounding areas and shall help them develop physical fitness, self-discipline, self-confidence, proficiency in competitive swimming strokes, good sportsmanship, strong teamwork, and determination to do their best.

VERSION DATE: May 16, 2015

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TERMINOLOGY

The following are definitions of standard terminology used throughout these By-Laws:

Executive Board	The governing body of the Wells Branch Armada Swim Team, elected by the membership during the Wells Branch Armada Swim Team annual meeting.
North West Swim Circuit (NWSC)	The affiliation for the Wells Branch Armada Swim Team. The By-Laws of the NWSC must be followed by the Wells Branch Armada Competitive Swim Teams. The NWSC By-Laws are available at the circuit web site. If temporarily unavailable, please email the NWSC President (address found here: https://nwsc.swimtopia.com/coaches for a copy of the NWSC by-laws.
NWSC Executive Board	The governing body of the NWSC comprised of the elected circuit representatives from each Member Swim Club.
Wells Branch Municipal Utility District (MUD)	Wells Branch Municipal Utility District (MUD). As the Wells Branch Armada Swim Team use the facilities owned and operated by the Wells Branch MUD, the team is obligated to adhere to the MUD rules and regulations as it relates to participating in community events.
Wells Branch Armada	A competitive swim team currently a member of the Northwest Swim Circuit (NWSC) and abiding by the NWSC By-Laws.
Swim Season	The period of time for the competitive team encompassing all practices and competition sanctioned by the NWSC Executive Board. This starts on the first day of practice and includes all dual meets, exhibition meets, and post season meets.

ARTICLE I: NAME

The name of the team shall be the Wells Branch Armada Swim Team and shall herein be referred to as the "SWIM TEAM". The SWIM TEAM draws its membership from the community defined by the boundaries of the Wells Branch MUD and surrounding communities. The SWIM TEAM is a Texas non-profit corporation and is exempt from taxes under Internal Revenue Code (IRC) Section 501(c)(3).

The SWIM TEAM consists of the Wells Branch Armada (WBA), a competitive swim team currently a member of the Northwest Swim Circuit (NWSC) and abiding by the NWSC By-Laws. Rules related to registering for the team can be found in Article III Section E.

ARTICLE II: OBJECTIVE

The objective of the SWIM TEAM shall be to provide an enjoyable, affordable summer activity for young swimmers in Wells Branch and surrounding areas and to help them develop physical fitness, self-discipline, self-confidence, proficiency in competitive swimming strokes, good sportsmanship, strong teamwork, and determination to do their best.

ARTICLE III: MEMBERSHIP

SECTION A: Membership Status

Parents/guardians of competitive swim team swimmers shall be deemed to hold membership with voting rights. Team swimmers will be non-voting members in the organization.

SECTION B: Membership Availability

SWIM TEAM membership shall be open to all interested children who at the time of registration are between the ages of five (5) and seventeen (17), on May 1 of that season, and who meet minimal swimming requirements. Minimal swimming requirements will be reviewed by the Executive Board and Coach(es) annually. The lower limit of five (5) years old set by this Section does not prevent the Executive Board from allowing a younger swimmer to register, so long as that swimmer meets the same minimal swimming requirements set for swimmers ages 5 and over. The final decision on whether any child can join the SWIM TEAM rests with the Executive Board. The Executive Board may set a membership cap on each age group; slots will be filled as they become available by those on the waiting list. Membership shall bind each member to the by-laws of this SWIM TEAM and the by-laws of the participating circuit, as applicable. In the event of conflict, the by-laws of the SWIM TEAM supersede the by-laws of the applicable circuit.

SECTION C: Registration Process

On an annual basis, the Executive Board will determine the registration procedures which will be posted on the Wells Branch Armada website and distributed via email to the SWIM TEAM distribution groups based on membership from the prior season. General information contained in the registration procedures will include the following information: period for registration; swimmer registration fees; tentative practice and meet schedule; coaching staff (if available); code of conduct; medical release forms; and any other pertinent information applicable to that swim season.

SECTION D: Registration Fees

An annual registration fee will be assessed and used for normal operating expenses which are incurred, associated with regular season activities. In addition, participation in Fund Raisers may be required as assessed annually by the Executive Board. A portion of the registration fee pays for the Swim Circuit membership, as applicable. Fees shall be established by the Executive Board.

SECTION E: Membership Term

Team membership will begin on the date of notification of accepted registration to the start of the registration period for the following year. During this period all registered members will maintain all rights granted under these by-laws.

ARTICLE IV: TERMINATIONS OR SUSPENSIONS

A membership may be terminated or suspended by the Executive Board for not abiding by the SWIM TEAM by-laws, rules of the SWIM TEAM, and/or the Code of Conduct (see Appendix 1) and any Code of Conduct as may be prescribed by the applicable Swim Circuit.

ARTICLE V: FISCAL YEAR

The fiscal and budget year of the SWIM TEAM shall begin September 1 and end on the following August 31.

The Treasurer shall provide the following items at least 48-hours prior to each Executive Board meeting:

1. A copy of the current bank statement(s).
2. A detailed list of revenues and expenditures.

Each member of the Executive Board is responsible for performing a monthly review of the Treasury report, and shall request support from the Treasurer for any transactions for which obtaining support is deemed prudent or appropriate.

The Treasurer is responsible for maintaining the ledger and accounts in a timely manner such that any written inquiry for review can be responded to in a prompt and thorough manner. The Treasurer is also responsible for ensuring that a history of Treasury Reports is maintained in a central location and backed up to prevent loss.

Approval of each month's Treasury Report shall be noted in the minutes.

ARTICLE VI: EXECUTIVE BOARD

SECTION A: Executive Board Role

Swim Team activities shall be conducted by or under the authority of the Executive Board. None of the members of the Executive Board shall be paid for their services. All members of the Executive Board must have a swimmer registered and participating on the team during the current year's swim season and be a citizen in good standing within the community served by the SWIM TEAM.

SECTION B: Executive Board Offices

The Executive Board will consist of the following offices and are described in detail in Article VII:

- President
- Vice President
- Secretary
- Treasurer
- Meet Director
- Circuit Representative
- Volunteer Coordinator
- Member(s) at large (two)

These representatives shall be appointed by the nominating committee (see Article VII).

SECTION C: Voting Rights

A quorum is reached when at least 51% of the Executive Board is present. Each member of the Executive Board will have one vote. A simple majority of an established quorum of the Executive Board will solve all issues, unless otherwise specified in these by-laws.

ARTICLE VII: NOMINATING COMMITTEE

SECTION A: Nomination Committee Process and Election of Executive Board Offices

A Nominating Committee will be appointed by the President with at least one (1) and not more than two (2) current Board Members and must include a representative that is not already a member of the Executive Board. The President is not a member of this committee. The non-board member should be the Chair of the Nominating Committee. The Nominating Committee is responsible for filling all offices of the Executive Board. The Nominating Committee will announce the proposed slate of officers 10 days prior to the SWIM TEAM's annual meeting, via the SWIM TEAM website and via the SWIM TEAM email distribution list of the membership. Additional nominations may be made from the membership during the 10 days preceding the annual meeting. These additional nominations must be made in writing to the chair of the Nominating committee (with the proposed candidate's prior consent). Any additional nominations to the slate of officers will be added to the list that will be reviewed at the annual SWIM TEAM meeting. No nominations from the floor will be allowed during the annual SWIM TEAM meeting. The election process for the offices of the Executive Board will be conducted by someone who is not a current or nominated board member and will be determined by upheld hands based on a simple majority of members present at the annual SWIM TEAM meeting.

SECTION B: Terms of the Offices of the Executive Board

New officers will begin their terms September 1st. An officer shall serve for one year or until his/her successor is elected.

A person may hold the same office for a term of three consecutive years. In the event that a qualified replacement cannot be identified by the nominating committee and the existing Executive Board Officer is willing to hold a position for another term, the Executive Board may take a vote to extend the term of a given position. This information would be put forth on the slate of officers as set-forth in Section A above and the standard process for election of the Executive Board would be followed as in section A.

The positions of Circuit Representative and Meet Director are exempt from the term limitations and may serve indefinitely until a replacement is voted. The position of Treasurer may serve for four (4) years or until a replacement is voted.

SECTION C: Termination and/or Vacancy of Executive Board Member Office

In the event that an Executive Board Member is unable or becomes ineligible to fulfill his/her responsibilities as set forth by these by-laws, the other members of the Executive Board may hold a vote to terminate the involvement of that individual and appoint a replacement by a simple majority vote of an established quorum of the Executive Board.

ARTICLE VIII: DUTIES OF OFFICERS

SECTION A: President

The President shall preside at all meetings of the general membership and of the Executive Board and shall be an ex-officio member of all committees, except the Scholarship, Nominating, and Audit Committees. The President shall be responsible to the general membership to exercise fiscal management of SWIM TEAM funds; shall act for the SWIM TEAM as liaison to the Wells Branch community; shall address member complaints for general problems; and provide leadership and guidance for all swim team activities. The President shall have served a minimum of two years on the Board prior to being elected to this position, unless no elected board member meets this qualification.

SECTION B: Vice President

The Vice President shall act as assistant to the President, and in the absence of the President shall perform the duties of the President. The Vice President shall also be responsible for other duties as from time to time may be assigned to him/her by the President.

SECTION C: Secretary

The Secretary shall keep the minutes of all Executive Board meetings and all General Membership meetings; see that all notices are duly given in accordance with the provisions of the by-laws; and in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him/her by the President.

SECTION D: Treasurer

The Treasurer will be a registered agent of the SWIM TEAM. The Treasurer shall collect all monies for the SWIM TEAM and shall deposit them in the name of the SWIM TEAM in a bank approved by the Executive Board. The Treasurer shall keep an accurate record of the receipts and disbursements, shall present a current statement of account at every meeting

of the Executive Board,. The Treasurer will take care of all SWIM TEAM insurance requirements, in conjunction with the President and Vice President, and file all necessary payroll and tax documentation. The SWIM TEAM'S books shall be audited as defined in Article V. The Treasurer shall serve as the board's liaison as it relates to payroll, taxes, and payroll issues with the coaching staff. See Article XII for the Financial Policies of the SWIM TEAM.

SECTION E: Meet Director

The Meet Director shall oversee all practice meets, dual meets, and divisional meets each season. He/She will attend circuit training each year. The Meet Director is responsible for pre-meet negotiations with opposing team, preparing the pool for the meet, verifying the heat sheet, conducting the meet in accordance with the circuit by-laws, observing the progress of the meet by checking with officials and scoring to be sure there are no issues, initiating discipline of swimmers, officials, parents, or spectators if necessary, and having final judgment on postponement or cancellation of a meet due to inclement weather or other reason.

SECTION F: Circuit Representative

The Circuit Representative(s) shall be responsible for all communications and meeting between the SWIM TEAM and Swim Circuit(s) and for ensuring that all officials training is done with regards to the requirements of the circuit. He/She will perform other duties as from time to time may be assigned to him/her by the President.

SECTION G: Volunteer Coordinator

The volunteer coordinator shall be responsible for coordinating all volunteering assignments and ensuring that all required roles are filled for swim meets, and for other team functions requiring volunteers, as requested by the Executive Board. He/She shall provide leadership and guidance during all swim meets and replace or assist in providing replacement of meet officials or other volunteers as required.

SECTION H: Member(s) at Large

Members-at-Large shall act as liaisons between members and the Board of Directors and perform other duties as deemed necessary by the Board of Directors. Members-at-Large shall oversee Fundraising Committee and other events as requested by the President or other Executive Board members.

SECTION I: Transition of Responsibilities to incoming Executive Board Members

Each member of the board, upon the expiration of his/her term of office, shall turn over to the successor, without delay, all records and other material pertaining to the office. This includes any lessons learned, FAQs, and/ or unique circumstances of the position, and will make an effort to meet with the incoming officer to do a face-to-face knowledge transfer to ensure a seamless transition.

SECTION J: Assigned Duties

Specific duties will be assigned to the Executive Board in the Fall each year. Responsibilities will be reviewed and updated as needed by the Executive Board.

Section K: Insurance Requirements

All voting members of the Executive Board must be registered under SWIM TEAM insurance.

ARTICLE IX: COACHES

SECTION A: Role on the Executive Board

Head Coach is a non-voting member of the Executive Board. He/She shall be responsible for approving and helping coordinate hiring of assistant coaches by the President/ Executive Board, and for supervising assistant and junior coaches with the approval of the Executive Board. He/She coordinates and conducts practice sessions and meets, as stipulated in written job description.

SECTION B: Expectations

All coaches will be responsible for training and supervising the Swim Team members. All coaches shall be responsible for the proper care and maintenance of SWIM TEAM equipment.

SECTION C: Code of Conduct

To maintain proper conduct and discipline of the swimmers, the coach may suspend a swimmer for the remainder of the current practice or swim meet without prior approval of the Executive Board for persistent and flagrant refusal to comply with proper and appropriate rules established by the Coach and the SWIM TEAM by-laws. Longer-term suspensions should go before the Executive Board. The Coach may also recommend to the Executive Board suspension or termination of the swimmer's membership on the SWIM TEAM. Unresolved disputes between the Coach and swimmers and/or members regarding disciplinary action under this policy must be appealed to and finally decided by the Executive Board. Notification of an appeal must be made to a member of Executive Board within seven (7) days following the incident.

All SWIM TEAM swimmers and parents/guardians will be required to sign the SWIM TEAM Code of Conduct (Appendix 1) at the start of each swim season.

SECTION D: Hiring of Coaches

The Executive Board will have the responsibility for hiring the head coach(es) and assistant coaches as identified by the head coach(es). The Executive Board may meet with the head coach(es) as needed during the swim season to provide an evaluation of the head coach and staff. The head coach(es) may request an evaluation from the Executive Board at any time during the season and within one month following the official end of a given swim season.

ARTICLE X: MEETINGS

SECTION A: Timing of Meetings

The Executive Board shall meet as deemed necessary. Special meetings may be called when required by the President. A simple majority vote will decide issues. A minimum of 51% of the Executive Board shall constitute a quorum.

SECTION B: Annual Swim Team Meeting

The Annual Swim Team Meeting will be held at the close of each season, as set by the Executive Board. At all general membership meetings, the members present shall constitute a quorum, each member shall be entitled to one vote.

SECTION C: Special General Membership Meeting

The Executive Board shall call a special general membership meeting at the request of twenty-five percent (25%) of the members. At all general membership meetings, the members present shall constitute a quorum, each member shall be entitled to one vote.

ARTICLE XI: BY-LAWS

Changes to the by-laws may be recommended by the Executive Board. The membership may petition the Executive Board for changes. Changes in the by-laws shall be approved by a two-thirds (2/3) majority vote of the members present. Proposed changes in the by-laws must be provided to the membership at least ten (10) days prior to any meeting at which the proposals are to be considered for adoption. Appendices to the by-laws are considered working documents and do NOT require membership approval prior to modifications being made (see Article XIV).

ARTICLE XII: FINANCIAL POLICIES

As a not-for-profit entity the SWIM TEAM will adhere to the following policies as it relates to managing its revenues and expenses:

1. The team bank account is subject to the approval of the Executive Board. All SWIM TEAM funds must be deposited into an approved bank account.
2. Two signatures will be required on all checks or proof that board members have approved the expenditure (email or inclusion in the minutes is acceptable). The Treasurer is the primary signer. The team will have a minimum of two and maximum of three signers at any given time. The individuals must be on the Executive Board and not related by either blood or marriage and shall not reside in the same household. The check signers will include the Treasurer and President and may include one other Board member that must be approved by the Executive Board and be reflected in the minutes of the meeting during which approval was granted.
3. Disbursements may be made with by check, credit card, or debit card, provided that board members have approved the expenditure as outlined in #2 above. Cash withdrawals are not allowed, unless pre-approved by the Executive Board as outlined in #2 above, or witnessed and approved by another individual that is an approved signer on the account.
4. All disbursements must have proper documentation with original receipts, unless unusual circumstances arise. Such unusual circumstances must be clearly documented and included with the request for reimbursement (e.g. receipt was in pocket of assistant coach during a swim meet and at the conclusion of the meet was pushed in by swimmers and receipt became unreadable as it dissolved in the water.)
5. Funds must be turned over to the Treasurer at the completion of the event for deposit

into the SWIM TEAM bank account. Exceptions to this policy will be made for purchases that repeat week after week and depend upon inventory or supply levels, such as concessions and swim shop. In this case, a portion or all of the funds may be retained by the volunteer/ committee for purchase of inventory/ supplies for the upcoming meet/ event.

6. If a check made payable to the SWIM TEAM is returned as NSF, any charges incurred by the SWIM TEAM because of insufficient funds will be charged to the check writer.
7. Any credit card fees incurred by the SWIM TEAM for a dispute will be paid by the credit card holder.

ARTICLE XIII: DISSOLUTION

SECTION A: Approval Process

¶If dissolution, disbandment, inactivation, or other termination of the SWIM TEAM is deemed necessary, it must be approved by two-thirds (2/3) vote of the members present at a duly called general membership meeting.

SECTION B: Distribution of Assets

Upon the dissolution of the SWIM TEAM, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code (or corresponding section of any future tax code), or shall be distributed to the federal government, or to a state or local government for a public purpose. Any such assets not so disposed of shall be disposed by a court of competent jurisdiction in Travis County, Texas exclusively for such purposes or to such organization(s), as said Court shall determine, which are organized and operated exclusively for such purposes.

**Wells Branch Armada Swim Team
Adopted by the membership,**

DATE

ARTICLE XIV: APPENDICES

In an effort to codify the working procedures of the SWIM TEAM, applicable working documents have been added to the by-laws as appendices. The appendices may require updating from one season to the next or even during a given swim season. The appendices will be reviewed on a regular basis by the Executive Board and will be modified as needed by the Executive Board. Modifications to any of the Appendices require a majority vote by the Executive Board (51%) and will NOT require approval by the membership. Changes made to the Appendices will be documented in the Amendment History tracker at the beginning of the by-laws.

APPENDIX 1: SWIM TEAM CODE OF CONDUCT

Northwest Swim Circuit Swimmer and Parent Code of Conduct

The Northwest Swim Circuit (NWSC) was formed with the objective of helping young swimmers to develop physical fitness, self-discipline, self-confidence, proficiency in competitive swimming strokes, and a determination to do one's best and good sportsmanship. The expectation of the Executive Board is that both swimmers and parents will exhibit the highest standards of sportsmanship at all times while participating in all NWSC and member club affiliated events.

Every participant, including swimmers, coaches, officials, board members, parents and spectators, has a responsibility to behave in a respectable manner and to comply with and support the Code of Conduct.

While attending and/or participating in any NWSC or member club affiliated practice or event, no individual shall:

- At any time strike, shove, threaten to strike or lay a hand upon an official, swimmer, coach, or spectator.
- Engage in an abusive, verbal attack upon any official, swimmer, coach, or spectator on or off the pool area.
- Use trash talk, profane, obscene or vulgar language under any circumstances, on or off the pool area.
- Engage in an objectionable demonstration of dissent or unsportsmanlike conduct such as throwing equipment or any other forceful action.
- Refuse to abide by an official's decision.

Any violation of the above policy will result in the following action at the discretion of the Home Meet Director:

- First Offense – Ejection of the person(s) from the meet/event by the Meet Director
- Second Offense – Suspension of the person(s) from any and all meets or events for the remainder of the current swim season

By signing below, I do hereby certify that I have read and agree to abide by the Northwest Swim Circuit Swimmer and Parent Code of Conduct.

_____	_____
Swimmer Signature	Date
_____	_____
Parent/Guardian Signature	Date
_____	_____
Parent/Guardian Signature	Date