

The By-laws of the Cedar Park Typhoons Swim Club

Section 1: *Admission to Club Membership*

Membership in the Cedar Park Typhoons Swim Club (herein after referred to as the Club) shall be open to residents of Cedar Park and surrounding community whose families include one or more children deemed to have met such standards of swimming proficiency as the Executive Board, (herein after referred to as the Board) may establish.

Application for membership shall be made upon forms prescribed by the Board. Completion and submission of such a form to the Club shall constitute an agreement by the applicant family to abide by the Club Constitution and By-laws, and to the code of conduct for swimmers and parents as stated in Section 3, should the application be approved.

Upon acceptance to membership, families shall be deemed to hold full privileges thereof.

Section 2: *Maintenance of Membership in Good Standing*

Membership in good standing shall be maintained by adherence to the Club Constitution and By-laws, and the standards of the conduct for swimmers, and by timely payment of all Club dues and fees and of charges for special goods and services requested by the member.

Upon having made a determination that a member has failed to maintain good standing, the Board may suspend or terminate their membership, in which case no refunds of Club dues or fees shall be made. Refunds of other moneys received by the Club for special goods or services not yet delivered shall be at the discretion of the Board.

Section 3: *Maintenance of Conduct and Discipline by Swimmers*

Swimmers and parents must adhere to the code of conduct as outlined by Appendix I to constitution. Without prior approval of the Board, the Head Coach may suspend a swimmer from participation in any or all team activities for a period not to exceed one week, or suspend or prohibit a swimmer from participation in one or more team meets, for flagrant or persistent refusal to comply with such proper and appropriate rules of conduct as the head coach may establish. The head coach may also recommend to the Board that the participation of a swimmer be otherwise suspended or terminated.

Actions taken under the terms of the Section may be appealed to the Board for final decision. Appeals are to be submitted in writing to the Board. .

The Constitution of the Cedar Park Typhoons Swim Club

ARTICLE I: STATEMENT OF PURPOSE

The Cedar Park Typhoons Swim Club (herein after referred to as the Club) shall exist for the benefit of the children of Cedar Park and the surrounding community.

The Club shall, as circumstances permit, maintain a summer program of competitive swimming which shall be designed to allow the participating children to learn how best to seek the personal rewards offered by participation in the sport: challenge themselves, measure the growth of their strength and skills, to know the satisfactions of accomplishment without having been subjected to destructive pressures, to belong to a team, and to enjoy the experience of competitive swimming.

The team is formed exclusively for community and educational athletic activities within the meaning of section 501(c)(3) of the Internal Revenue Code of 1954, as amended.

ARTICLE II: THE EXECUTIVE BOARD

A. Vesting of Power

Executive power shall be vested in an Executive Board (herein after referred to as the Board), which shall consist of the following elected officers: a President, ~~a three~~ Vice-Presidents, a Secretary, ~~and a Treasurer,~~ and six chair holders for Equipment, Concessions/Registrations, Merchandise, Sponsorships, Volunteer Coordinator, and Webmaster.

Additionally, the Head Coach shall serve as a member by virtue of his or her position (see Article III. L).

The Board shall meet at least once every month during the months of April through July and at least once every two months during the remainder of the year.

The presence of ~~six~~four or more members at a meeting of the Board shall constitute a quorum. Motions before the Board shall be deemed to have passed upon having received a majority of the ballots of those present and voting. In the event of a tie vote, the highest-ranking board member can add an additional vote.

B. Powers and Duties of the Board

The Board shall see to the performance of all duties necessary for the survival, competent administration, and continued improvement of the swim program, in accordance with Article I. It shall possess all powers necessary thereto, including but not limited to: the power to raise and expend funds for Club purposes, the power to commit the Club to binding agreements, the power to hire and dismiss coaches, and the power to plan Club programs and to delegate specific authority as required for the running of those programs.

General revenue measures, such as registration fees, designed to meet recurring expenses, may be established and their amounts set by majority vote of the members of the Club in general meeting assembled. The Board shall have the power to vote modest increases in such fees, so long as said increases in the total fees do not exceed twenty percent in any twelve-month period. The Board shall have the power to establish fees to be paid by the participants in special team activities to cover the costs of such activities.

The Board shall not carry on any activities, which jeopardize the Federal income tax exemption of the organization pursuant to section 501(c)(3) of the Internal Revenue Code of 1954, as amended.

Upon dissolution of the Club, the Board shall, after paying or making provision for all the liabilities of the Club, dispose of all assets of the Club exclusively for the purposes of the Club in such

manner, or to such organization or organizations organized and operated exclusively for community or educational purposes as shall at the time qualify as an exempt organization or exempt organizations under section 501(c)(3) of the Internal Revenue Code of 1954, as amended, (or the corresponding provision of any future United States Internal Revenue Law) as the Board may determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of Williamson County exclusively for such purposes or to such organizations, as said Court shall determine, which are organized and operated exclusively for such purpose.

C. Qualifications for Board Membership

All Board members, excepting the Head Coach, shall be members of the Club in good standing and shall have attained the age of twenty-one years upon assuming office.

Two persons may jointly occupy an office on the Board, in which case, one vote will be allowed for the jointly occupied position. If both parties cannot agree, they forfeit their vote.

D. Term of Office

Officers shall serve a term of one year, to begin on the first day of August following their election. A member may be elected to serve in the same official capacity for no more than two years consecutively unless specified in the position description below.

E. The President

The President shall attend to the following special duties, and shall possess such special powers as are required for their performance:

1. To call meetings of the Board, setting the date, place, and time, and establishing the agenda; to preside fairly over the meetings in accordance with such formal or informal rules of procedure as may be in effect;
2. To make appointments, subject to the consent of the Board, to such committees or subcommittees or other offices as the Board may, from time to time, establish;
3. To represent the Board and the team in an official capacity, publicly and in negotiations with the City of Cedar Park and with any swimming league the Club may join or seek to join, and with other organizations and individuals;
4. To perform such tasks as may be required for the maintenance and well being of the Board or of the team as a whole;
5. To call the annual general meeting of the Club members for the purpose of electing new Board members and conducting such Club business as circumstances may warrant, or other general meetings of the Club, setting the date, place, and time, establishing the agenda, and presiding.
6. Create and maintain Board position descriptions approved at least annually by the Board.

F. The Treasurer

The Treasurer shall receive, account for, and expend the Club funds in accordance with the decisions and established procedures of the Board; shall prepare and file such official financial documents as may be required by law, or may be required to obtain exemption from taxes; shall provide the Board and all governmental entities with such financial information and reports as they may from time to time require.

G. The Secretary

The Secretary shall maintain all official Club records; shall record the proceedings of the Board and of the Club in general meetings assembled; shall perform other duties as the Club may require. The Secretary shall assist all other positions as needed. This position has no term limits.

H. The First Vice-President

The First Vice-President shall coordinate administrative preparations for the participation of the Club swimming team in competition, insuring that the express desires of the Board and the obligations of the Club under the terms of agreement which may be in effect, with a competing club or a swimming league, are fully met, including but not limited to the provision of trained meet officials. In the absence of the President, he or she shall perform the duties of the President. This position has a 2-year term.

I. ~~The Second Vice-President~~Sponsorship Chair

~~The~~ Second Vice-President Sponsorship Chair shall initiate, organize, and administer such fund-raising activities as may be approved by the Board. This position shall be responsible for seeking, procuring, and maintaining relationships with sponsors. This position has a 3-year term. (If no member comes forward to volunteer at the end of term, one additional year may be served. This additional one year term must be voted on at the annual member meeting.)

~~J. The Third Vice-President~~Merchandise Chair

~~The~~ Merchandise Chair shall be responsible for merchandising. Responsibilities shall include managing relationships with vendors, procuring merchandise for sale, preparing website for pre-sales prior to registration, managing merchandise sales at meets, and preparing options for team suits when required. This position has a 3-year term. (If no member comes forward to volunteer at the end of term, one additional year may be served. This additional one year term must be voted on at the annual member meeting.)

K. Concessions/Registration Chair

~~J.~~ The Concessions and Registration Chair shall be responsible for managing the concession stand, including procuring supplies, preparing the menu, pricing, and suggesting changes that may improve the performance of the concession stand. This position also leads the Registration committee every year, preparing the plan for marketing to the Cedar Park area on an annual basis. This position has no term limit.

~~The Third Vice President shall manage and coordinate equipment and supplies and shall perform other duties as the Club may require.~~

~~L.~~ Equipment Manager

~~The~~ Equipment Manager shall manage and coordinate equipment and supplies, including procuring transportation for equipment to and from meets, leading the set up and tear down crews, and shall perform other duties as the Club may require. This position has no term limit.

~~M.~~ Volunteer Coordinator

~~The~~ Volunteer Coordinator shall manage the volunteer duties of all registered members of the team, ensuring that all necessary volunteer positions are filled at each meet. The Volunteer Coordinator is additionally responsible for preparing the family boxes at the beginning of the season, as well as prior to each meet. This position shall create lanyards for each volunteer position prior to the first meet. This position has no term limit.

~~K.N.~~ Webmaster

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The Webmaster shall be responsible for management of website operations relative to upkeep and online registration. Manage account questions, maintain admin access permissions and removal, manage the board Gmail subdomain, and respond to all inquires to notifications@cedarparktyphoons.org. During the swim season, the Webmaster should work closely with Computer Rep to set up meets in Swimtopia, open and close meet entries, verify that each swimmer has 3 individual events for Computer Rep, and update the Earned Discount Returners Role to reflect those who have earned the discounted registration for the next season. This position has a 3-year term.

L.O. The Head Coach

The Head Coach shall be solely responsible for the training and coaching of the team. He or she shall be primarily responsible for maintaining proper conduct and discipline on the team at all times.

The Head Coach shall represent the views of the coaching staff on all matters before the Board, except that the Head Coach shall have no vote. This position may be excluded from discussions and decisions on matters concerning the acceptance, terms, or termination of his or her own contract of employment, ~~if any, and may be excluded from discussions of said matters,~~ or of his or her appraisal of performance of the duties under said contract, at the pleasure of one or more other members of the Board. This position is a non-voting position.

M.P. Other Officers

The Board may create and abolish other board positions, committees, and subcommittees to serve the purposes of the Club. Examples might include the offices of Transportation Coordinator, Newsletter Editor, Supplies Officer, Equipment Officer, and Telephone Chair, Social Activities Chair, and Meet Card Preparation Chair. The president with the consent of the Board shall make appointment to such offices or chairs. Occupants of said offices or chair positions should serve in their capacities and may attend Board meetings at the pleasure of the president, but shall not be deemed voting members of the Board by virtue of their offices or chair positions unless specifically voted on and approved by the Board. If necessary, an electronic vote can take place between meetings.

N.O. Filling Vacancies on the Board

In the event of the resignation, death, serious incapacitation, illness or injury, removal from office, or unduly prolonged absence from duty of a member of the Board, a vacancy of the office of the member may be declared by a majority vote of the remaining members of the Board. Such a vacancy may be filled on an interim basis by a person Constitutionally qualified to hold that office by a majority vote of the remaining members of the Board. An election to fill the office shall then be held at the next general meeting of the Club membership.

O.R. Removal from Office of Board Members

Any member of the Board formally charged by another member of the Board, or by petition of one-fifth or more of the member families of the Club, with having failed to uphold and defend the Constitution of the Club, or having failed to faithfully execute the responsibilities of his office, or having conducted himself in a manner unbecoming to a member of the Board, may be removed from office by the vote of two-thirds of the remaining members of the Board. The person so charged shall have a right to proceeding of the Board to be held prior to the vote of removal, to be chaired by a person other than a member bringing the charge; shall have a right to due notice of the proceeding and of the specific charge or charges against him or her, the right to be present at the proceeding, and a right to present a defense.

P.S. Board Discount

The Board may approve an annual membership discount not to exceed the standard membership fees minus fixed cost such as insurance. The discount must be dependent on financial goals, which maintain the solvency of the team.

ARTICLE III: CLUB ELECTIONS

A. General Procedure

A general meeting of the Club membership shall be held annually, during the period following the conclusion of the summer competitive swimming season and before the last day of September. For all matters to be decided at the general meeting, only families who are members of the Club in good standing may cast votes, and only one member of each family may cast a ballot on any

given vote. In the event that no candidate in an election or Club office receives more than fifty percent of the votes cast, a runoff election shall be held between the two candidates receiving the greatest number of votes.

B. Order of Precedence for Elections

Votes on proposed Constitutional amendments shall be held first, followed by votes on proposed changes to the Bylaws, followed by elections of officers with the election for President first, followed by elections for Treasurer, Secretary, First Vice-President, Second Vice-President, and Third Vice-President in succession.

C. Nominations and Elections for Executive Board Offices

Prior to the annual elections, the President shall chair a Nomination Committee to consist of the President and two other persons appointed by the President. The Committee shall contact all prospective nominees and confirm their willingness to serve if elected. The nominations of the Committee shall be announced to the Club at the time of the announcement of the annual general meeting.

At the general meeting, nominations for persons not constitutionally qualified to hold office shall be withdrawn.

Members of the Board shall be elected by majority of those present and voting at the general meeting of the Club membership.

ARTICLE IV: BY-LAWS

The Club may, from time to time, adopt By-laws, and may subsequently amend or abolish them. No By-law or amendment thereto, found by the President to be in conflict with one or more provisions of the Club Constitution shall have effect.

Additions, deletions, or amendments to the By-laws shall be by vote of the majority of those present and voting at a general meeting of the Club.

ARTICLE V: RATIFICATION

This Constitution shall be ratified and shall take effect immediately upon having received a majority of votes of those present and voting at a general meeting of parents, swimmers and other parties actively involved with Cedar Park Typhoons Swim Club as it now exists, and upon having been signed by the officers elected at said meeting under the terms of this Constitution.

ARTICLE VI: AMENDMENTS

Proposed Amendments to this Constitution shall be adopted upon having received the votes of at least three-quarters of those present and voting at a general meeting of the Club.

APPENDIX I:

NWSC CODE OF CONDUCT

