

**BYLAWS
OF THE
LEMOORE AQUAJETS SWIM TEAM**

ARTICLE I NAME

The name of this organization shall be the LEMOORE AQUAJETS SWIM TEAM (LAJ).

**ARTICLE II
GEOGRAPHICAL
LOCATION**

The principal place of business and headquarters of the Aquajets shall be Lemoore, Kings County, California.

**ARTICLE III PRIMARY
PURPOSE**

The Lemoore Aquajets mission is to provide a competitive swim program that supports athletic and personal development. Our team provides an enjoyable environment to build sportsmanship, character, skills, friendships and health. It is our goal to develop mentally strong and confident kids who can carry the tools of the sport into all areas of their lives.

The properties and assets of this Corporation are irrevocably. The Corporation dedicated to its tax-exempt purposes. No part of the net earnings, properties, or assets of the Aquajets, on dissolution or otherwise, shall insure to the benefit of any private person or individual, or any member, officer, or director of the Aquajets. In the event of liquidation and dissolution, all properties and assets and obligations shall be distributed and paid as described in Article VIII, provided that the recipient organization is dedicated to the exempt purpose as specified in Internal Revenue Code, Section 501 (c) (3). Notwithstanding any other provisions of these articles, the corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from Federal Income Tax under section 501 (c) (3) of the Internal Revenue Code.

SECTION 1: Purpose ARTICLE MEMBERSHIP

The LAJ is an organization of swimmers, parents, and coaches whose aim is to promote and participate in the sport of swimming. There is one class of membership, known as members. This general membership shall consist of all parents and guardians of swimmers in good standing. "Good standing" is defined as, having: (1) a valid LAJ registration on file with the LAJ BOD. (2) LAJ fees are paid in full, and (3) no outstanding LAJ liens existant against the member. If membership requests exceed the capacity of the swim team to accommodate swimmers, the LAJ Board of Directors (BOD) will consult with the coach to institute a "try-out" session at which swimmers will be selected based on ability and the needs of the swim team in the various age groups.

SECTION 2: Obligations of Members.

By requesting and accepting LAJ membership, swimmers and their parents agree to abide by the rules, policies, and procedures established by the LAJ general membership, Board of Directors,

and the coaches. Additionally, all swimmers' parents/guardians are required to perform various functions or jobs at each swim meet in which their child/children participate. Failure to participate will jeopardize swimmer membership and the ability of the LAJ to continue to function.

SECTION 3: Fees

An annual, non-refundable registration fee as determined by the Board of Directors shall be paid each year at the start of the swimming season by members. No refunds will be given or partial payments accepted. In the event of family financial hardships, arrangements may be made with the Board of Directors to waive, defer or make alternative arrangements for payment of fees. This will require a written request and the Board will vote within 7 days of submitted request.

SECTION 4: Participation

Successful running of the AQUAJETS is dependent on the participation of each and every swimmer and parent or guardian. The Board of Directors will establish minimum levels of participation annually as stated in the handbook.

ARTICLE V BOARD OF DIRECTORS

SECTION 1: Officers

The elected officers of this club shall be President, Vice-President, Secretary, Treasurer and a Delegate.

Duties of the Officers are as follows:

1. **President** - The President shall preside at all membership meetings and meetings of the Board of Directors. He or she shall appoint all standing and special committees, and shall be an overseen member of those committees, with the right to vote. Organize meetings, as necessary, for all new members to explain and/or direct through their first competitive swim meet. Act as the liaison between the coaches and the BOD. He/She shall also meet with the CVRSL to create the meet calendar. The President will approve all official documents, call special meetings when necessary and certify all acts of the Board in conjunction with the Secretary.
2. **Vice-President** - The Vice-President shall act as aide to the President and in the absence of the President, shall perform the duties of the President. He or she will be responsible for all property of AQUAJETS, according to Article IX; and shall also perform other duties as may be assigned by the President or the Board of Directors. The VP shall be responsible for the coordination of all of the team's publications, which shall include solicited advertising and sponsorship and initiate "Thank You" correspondence to all paid advertisers and sponsors. Create, update and manage the current team website as necessary. Ensure that all teams meet results, and any other pertinent team information is promptly distributed to all proper media sources.
3. **Secretary** - The Secretary shall record minutes of all membership meetings and meetings of the Board of Directors. He or she shall conduct team

correspondence, except when assigned to committee chairperson, and maintain records of all correspondence. Compilation and distribution of a team membership list. He or she shall also issue notice of meetings, certify all acts of the Board in conjunction with the President, and conduct other duties as may be assigned by the President or Board of Directors,

4. **Treasurer-** The Treasurer shall have custody of and be responsible for all funds in whatever place of deposit as designated by the Board of Directors. The Treasurer and one other officer will sign all disbursements. He or she shall be responsible for the submission of financial statements to the members and the Board of Directors when requested by the President, and for filing tax reports, as required. The team records shall be subject to an annual audit. He or she shall be responsible for issuing timely billings to the membership and for collecting and depositing all fees and monies due the team.

5. **Delegate/ Head Coach** - The LAJ Delegate shall be the official representative of LAJ and shall have voting rights. The delegate shall act as the liaison between the membership and the BOD, as well as the committee chairs and the BOD.

SECTION 2: Appointed Volunteer Positions

1. Volunteer Coordinator - shall actively recruit volunteers to fill positions needed to ensure the LAJ activities (swim meets, tryouts, parties, etc.) function smoothly. The volunteer coordinator creates volunteer requirements for each activity, advertises jobs to the team, communicates directly with members as necessary, signs in and coordinates volunteers at activities, tracks job completion, and maintains records as necessary. The Volunteer Coordinator may also perform other duties as delegated by the BOD or the President.

2. Ribbons and Awards - shall be responsible for all awards at home meets and gathering awards from away meets. This person will create a method for distributing all awards by the end of the year. They will also order all end of the year awards for swimmers.

3. Snack Bar and Concessions - this person(s) shall be responsible for the operation of concessions at home swim meets and the operation of any regular concession established at the Lemoore High School pool. This person(s), with prior approval from the BOD, will purchase food and equipment necessary for operation of the concession. The Concession stand shall sell items in a manner designed to improve the financial stability and overall operation of the LAJ.

4. Hospitality-responsible for providing food to the volunteers at every home meet. They will work with the snack bar coordinators as well as the volunteer coordinator.

5. Technology Coordinator - will maintain the team computer and all technology associated with it such as meet equipment, website design and maintenance.

SECTION 3: Terms of Office

Officers of the Board of Directors of the team shall hold office for a term of two years, commencing September 1st, and ending August 31, at the end of the second year, with the President and Secretary being elected in even numbered years; and the Vice President and Treasurer being elected in odd numbered years. The Delegate of the Board of Directors shall hold office for a term of one year, commencing September 1st, and ending August 31st of the following year.

SECTION 4: Qualifications

- a. President, Vice President and Treasurer - must have served at least one term as a member of the Board of Directors, unless special approval is granted by the Board, allowing waiver of such qualification.
- b. Secretary and Delegate - must have been a member of the team in good standing for a period of not less than six months unless special approval is granted by the Board, allowing waiver of such qualification.

SECTION 5: Elections

The Slates for the BOD will be presented every year, as determined by Section 3. Prior to August 1st of the swim season, any person interested and qualified to be on the slate, shall notify a person on the BOD of their interest to join the board. The annual election will take place at a special meeting at the end of the swim season.

SECTION 6: Authority

The Board of Directors shall manage the affairs of this non-profit corporation within the limits of these Bylaws. No other person may collect funds, make contracts, incur expenses, or initiate any actions in the name of this organization without prior approval of the Board of Directors.

- A. The Board of Directors may authorize any officer or agent to enter into any contract in the name of and on behalf of AQUAJETS.
- B. The Board of Directors shall authorize payment of expenditures, create standing committees are deemed necessary to carry on the work of AQUAJETS and administer all matters pertaining to the employment of the head coach.
- C. The Board of Directors is responsible for preparing the annual budget. D. The Board of Directors shall determine the fees and obligations necessary to the maintenance of a swimming program that meets the vision statement with a balanced financial plan.
- E. The Board of Directors may not incur indebtedness for any purpose in the name of the AQUAJETS without prior approval of the general membership, at a general membership meeting.
- F. The Board of Directors may authorize each year an audit of the financial records.

SECTION 7: Vacancies

When any officer or director fails to adequately perform the duties of his or her office or fails to attend three (3) consecutive meetings of the Board, the Board may declare his or her office vacant. In the event the office of President becomes vacant; the Vice- President shall assume that office. Other office vacancies and vacancies on the Board shall be filled by appointment by the President with the approval of the remaining directors, and the officer or director shall serve until the next election for that position.

SECTION 8: Successor

Each officer and director, upon expiration of his or her term of office, or in the case of resignation or termination, shall turn over to his or her successor, all reports, books, computer passwords/etc., funds and any other material pertaining to his or her office.

SECTION 9: Indemnity of Officers

Each person now or hereafter a director or officer of the Corporation (and his or her heirs, executors and administrators) shall be indemnified by the Corporation to the fullest extent permitted by the laws of the Commonwealth of California (See Ca. Code Ch 3. 300-318) against all claims, liabilities, damages, settlements, costs and expenses, including all attorney's fees, imposed upon or reasonably incurred by him or her in connection with or resulting from any action, suit, proceeding or claim to which he or she is or may be made a party by reason of his or her being or having been a director or officer of the Corporation (whether or not he or she is a director or officer at the time such costs or expenses are incurred or imposed upon him or her), except in relation to matters as to which he or she shall have been finally adjudged in such action, suit or proceeding to be liable for gross negligence or willful misconduct in the performance of his or her duties as such director or officer. If the determination as to whether a director or officer was guilty of gross negligence or willful misconduct is to be made by the Board, it may rely as to all questions of law on the advice of independent counsel. Such right of indemnification shall not be deemed exclusive of any rights to which an officer or director may be entitled by any bylaw, agreement, vote of members, or otherwise. The Corporation shall have the authority to purchase suitable policies of indemnification insurance on behalf of its officers, directors, or agents, the premiums for which may be paid out of the assets of the Corporation.

SECTION 10: Conflicts of Interest

A conflict of interest exists when the interests or activities of any BOD member may be seen as competing with the interests or activities of the Corporation; or the director, officer, or staff member derives a financial or other material gain as a result of a direct or indirect relationship. Any conflict of interest shall be disclosed to the Board of Directors by the person who has the conflict. When the conflict relates to a matter requiring action by the Board of Directors, that person shall not participate in the discussion nor vote on the matter, but their presence may be counted if it is necessary in order to achieve the quorum.

SECTION 11: Meetings

The LAJ BOD shall meet no less than six (6) times per year. Meetings shall be scheduled on the LAJ calendar and announced to the general membership and public via the LAJ website and Facebook Page. The President shall serve as the chairman of BOD meetings and the secretary will formally prepare and post a detailed agenda to the LAJ website and Facebook page at least one week prior to the meeting. The meeting agenda shall serve to provide focus and assure the effectiveness, productivity, and efficiency of meetings. The **President** and **designated** Parliamentarian will use Robert's Rules **Order Newly Revised as a guide to** conduct meetings in an organized **fashion**

a. Types of Meetings. The **LAJ** BOD conducts three types of meetings:

(1) **Regular** BOD Meeting. Regular BOD meetings are meetings of the LAJ BOD **scheduled on the** LAJ Calendar. These meetings are open to all LAJ members. The **BOD may** elect to shift **from a** Regular forum to an Executive forum during a **Regular** BOD meeting **if** the content of the discussion warrants, or if the participation by **any** person present becomes **disruptive to the** meeting. In this **case** all **non-voting** members of the BOD **may be required to** leave. **If a** BOD member is **the** subject of

sensitive discussions then **the majority of the** remaining BOD may require that BOD member to leave the Executive session.

(2) **Executive BOD Meeting.** Executive BOD meetings will be conducted at **the** President's discretion. These meetings are considered closed to all but **voting members of the BOD and their invited** guests. Executive meetings **are conducted only when** unusually sensitive information needs to be discussed.

(3) **Special BOD Meeting.** Special BOD meetings will be conducted at the President's discretion and may **be declared** as either "Executive or Regular" in nature. These meetings are **typically** short notice meetings not **previously scheduled on the LSSTIRSL 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 LSST** members at least **24** hours **prior** to any special meetings.

b. Attendance. In **order to uphold** the Duty of Care, it is expected **that** board members **attend all** regularly **scheduled** board meetings. **A board** member **who** misses **three** consecutive meetings, unless **excused,** **shall** be deemed to **have** resigned. The minutes should note any excused absences. A board member may **take** a leave of absence" for up to six **months with** approval **from** the Executive Committee. The board member must **submit a** request in **writing** with a justification for the leave. Examples of **acceptable** reasons for leave **include but** are **not** limited to: **maternity,** care for **family** members, personal health.

SECTION 9: Quorum

quorum **shall** consist of **a** majority of the elected officers **of the LAJ** (normally **3 of 5 elected** members). At **scheduled** BOD meetings, a quorum is **required in order** to vote on issues and make decisions affecting the LAJ. Meetings **attended by** less than a quorum **may** discuss issues and **exchange** general information necessary for **the** continued operation of the LAJ. **Once a** quorum has been established, a majority **vote** of those present shall be sufficient for all purposes, except as otherwise specified herein. In the event of **a** tie, the President's vote shall be **the** deciding **factor.** If the President is **not** present then the tied **vote** decision must be **deferred.** **Scheduled**

meetings of the BOD that consist of less than a quorum must also be documented by minutes.

SECTION 13: Poll the Board

the event an issue requires the immediate attention and a decision of the Board, the President, or in his absence the Vice-President, may call for a poll of the Board. The person polling the Board shall contact each member of the Board either in person, by text, email, or telephone; present the issue as outlined by the president; and record the vote. If the issue receives a majority of votes, the action requested will be immediately approved and implemented. The issue will then be ratified at the next scheduled Board meeting and be recorded in the minutes.

ARTICLE VI COACHING STAFF

SECTION 1: Employment Status

All Coaches shall be employed as agreed upon by the Board of Directors and the Head Coach. They will either serve under contract with LAJ as an independent contractor or as an employee of LAJ.

SECTION 2: Head Coach

A. Qualifications for Head Coach shall be set forth by the Board. The Head Coach shall meet USA Swimming and team insurance requirements and shall ensure that all assistant coaches credentials are current.

B. Duties:

1 Prepares time schedule of workouts and see that all swimmers are notified.

2 Prepare an appropriate workout in the event that the pool is unavailable. 3 Oversee the coaching of all groups.

4 Provide replacement coverage should he or she or any assistant coach be unable to coach a group due to an illness or vacation, safety permitting. 5 Supervise the behavior of swimmers while at practice.

6 Report to the President of the Board, any case of serious misconduct; especially those cases of misconduct that the coach feels should result in the suspension of a swimmer from the team.

7 The Head Coach, or his or her duly appointed representatives, shall make all reasonable efforts to remain at the pool complex after scheduled practices until all swimmers, especially those less than 13 years of age, have left the pool complex or are under supervision of an adult known to the Head Coach.

C. The Head Coach evaluation tool shall be approved by a majority of the Board. All Board members shall complete the evaluation tool. The tally of evaluation forms shall be compiled by the Secretary and a copy provided to

each Board member and the Head Coach. The evaluation shall be presented to the Head Coach at a special meeting of the Board. The Board's review is final. The Head Coach may submit a self evaluation and/or a response to be attached to the final review. The evaluation is to be completed prior to the start of the next contract year.

SECTION 3: Assistant Coaches

Assistant Coaches are contracted as needed by the board by the recommendation of the Head Coach. All Assistant Coaches work under the direction of the Head Coach.

SECTION 4: Swim Meets

Head coach with the help of Assistant coaches shall provide meet sheets for all meets, oversee the LAJ entries for all meets, ensure coach or coaches will attend swim meets.

SECTION 5: Meetings

Upon request of President or Board, coach(es) will attend meetings related to the further advancement of AQUAJETS.

SECTION 6: Communication with Parents

Keep parents informed of meets, workout schedules and general information. Be available, on an appointment basis, to talk to parents before or after workouts. Notify parents of new swimmers when they are qualified to compete in meets.

SECTION 7: Compensation

The salaries of the Head Coach and Assistant coaches, including contract provisions will be set upon mutual agreement between the Board and the coaches.

ARTICLE VII

MEMBERS BILL OF RIGHTS, PRIVILEGES, CODE OF CONDUCT, HEARINGS AND APPEALS

SECTION 1: No one shall be denied membership, or benefits of membership based on sex, race, creed or religion.

SECTION 2: The intent of the AQUAJETS is to encourage participation and the pursuit of excellence in the sport of swimming. AQUAJETS grants the privilege of membership to individuals and groups respectful of that intention. The privilege of membership may, therefore, be withdrawn or denied by AQUAJETS at any time where AQUAJETS determines that a member's or prospective member's conduct is in violation of the code of conduct as adopted in Section 304 of the rules and regulations of USA Swimming.

SECTION 3: The Board of Directors will hear complaints, protests, and appeals regarding the administration and conduct of the sport of swimming, conduct that may violate the USA Swimming Code of Ethics or otherwise violate the policies, procedures, rules and regulations adopted by USA Swimming, AQUAJETS. The decision of the Board regarding AQUAJETS rules and regulations will be final.

ARTICLE VIII

AMENDMENT TO THE BYLAWS

SECTION 1: The Board of Directors or the General Membership may propose amendments to the bylaws. A request for amendments to the bylaws by the membership must be submitted to the Board in writing, accompanied by a petition signed by a minimum of ten (10) active members in good standing as determined by the bylaws.

SECTION 2: Voting on Amendments. Amendments to the bylaws shall be made by a majority vote of those adult members in good standing who are eligible to vote and who are present casting an

firmative vote at a General Membership meeting. A written notice containing a copy of any
oposed amendments must be given to the members seven (7) days prior to such meeting.
mendments, if adopted, become effective immediately.

ARTICLE IX

the event of dissolution, disbandment, inactivation, or other termination of the team, the funds and
operties of the team, in excess of its liabilities, shall be donated to a non-profit youth sports
ganization. The organization will be selected by the vote of the Board.

atification

rese Bylaws are hereby approved by all members of the LAJ BOD this the day of January 4,
J25

resident - Tawni McGough

Signature Date

ice President - Josh Willet

Signature Date

ecretary - Jen Are

Signature Date

reasurer - Stacey Corbiere

Signature

Date