

BYLAWS & STANDING RULES

2025-2026



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These bylaws outline the essential structure and specific regulations to govern the Modesto Mavericks Swim Team.

Article 1. Objectives

The objectives of this swim team are to:

- A. Promote the Mid Valley Swim League (MVSL) to all children.
- B. Conduct recreational swim meets during the May – July season. (Option to extend the season through October 31st available within MVSL.)
- C. Promote and develop a community swim team governed by these bylaws.
- D. Promote family and community involvement in swimming.

Article 2. Basic Policies

The following are the basic policies of the Modesto Mavericks Swim Team (MMST) shall:

- A. Be non-sectarian and non-partisan.
- B. Participate with the MVSL in the decision-making process establishing policies.
- C. Have one representative at all MVSL meetings; however, the representative shall make no commitments that bind the team without discussion and unanimous approval of the board members.
- D. Meet monthly January– July and as necessary thereafter with a seven (7) days' notice provided.
- E. Individual event records can be established during any MVSL event. In the case of a meter pool, time will be converted to yard times.

Article 3. Elections

- A. The Officers of the MMST shall include President, Vice-President, Secretary, and Treasurer.
 - a. Officers shall be elected to two-year terms with President and Secretary elected on even years; and Vice President and Treasurer on odd years. Vacancies shall be filled in accordance to current term.
- B. Members of the Board shall include Media Relations, League Representative, Volunteer Coordinator, Head Coach and six Members at Large.
 - a. Members of the Board shall be elected annually. Incumbands shall have a default position on the ballot unless otherwise requested.
 - b. Head Coach shall be appointed by The Board annually.
- C. Only persons, related to a current/future swimmer, who have consented to serve if elected, shall be nominated for, or elected to, office. Elected officials of none-returning swimmers are permitted to complete their elected term.
- D. Nominations shall be publicized through official media channels, held two weeks prior to the league championship meet, and open for no less than seven days.
- E. Elections to be held the last meet prior to the league championship meet.
- F. Ballots, paper or electronic, shall be limited to one per family, current board members, and MMST Coaching Staff. Children unaccompanied by their parents will not receive a ballot.

- G. Ballots shall be returned and tallied by the Secretary, an additional board member, and no less than three non-partisan witnesses. Ballots shall only be counted after voting has been closed.
- H. In the event of a tie for any position, a closed, private vote from Officers and Members of the Board (hereafter referred to as 'The Board') and Staff will be held to break the tie. If this results in an additional tie, the Head Coach will break the tie.
- I. The new board will be introduced at the awards' banquet.
- J. Officers shall assume their duties at the September board meeting.
- K. If a position remains unfilled after election, it shall be considered a vacant office to be filled by The Board-elect. Filling the position shall be confirmed at a Board Meeting by unanimous vote.

Article 4. Duties of The Board

A. President. The President shall:

- i. Preside over all meetings and provide agenda items to the Secretary.
- ii. Coordinate the work of all Officers.
- iii. Perform such other duties as may be prescribed in these bylaws or assigned by the organization.
- iv. Have all legally binding documents approved by the Board before signing.
- v. Assume the duty of the Meet Director at home meets or identifies a delegate.
- vi. Monitor all email communication.

B. Vice-President. The Vice-President shall:

- i. Coordinate fundraising activities.
- ii. Organizes the Members at Large to facilitate the below tasks:
- iii. Coordinate set-up and/or clean up at home meets.
- iv. Coordinate end of the year awards.
- v. Coordinate concessions/vendors and hospitality for home meets.
- vi. Monitor all email communication.

C. Treasurer. The Treasurer shall:

- i. Keep such permanent records as shall be sufficient to establish the items of gross income, receipts, and disbursements.
- ii. Prepare an annual budget proposal by December and keep the Board informed of expenditures as they relate to the budget.
- iii. Give financial updates at each Board Meeting.
- iv. Make an annual financial report to the Board that includes gross receipts and disbursements for the year.
- v. Receive all monies for the organization and deposit them in the name of the organization in a bank approved by The Board.
- vi. Pay all bills as authorized by The Board.
- vii. Facilitate the preparation of tax forms (1099) for coaches.
- viii. Monitor all email communication.

D. Secretary. The Secretary shall:

- 1. Keep an accurate record of the proceedings of all meetings.

2. Keep a current copy of the bylaws and standing rules.
3. Coordinate yearly swim registration, including flyers and handbooks.
4. Tally election ballots and notify Officers and the election results.
5. Monitor all email communication.
6. Perform such other duties as may be delegated.

E. Media Relations. Media Relations shall:

1. Assemble a record of the activities of the swim team.
2. Maintain team website and other social media accounts.
3. Keep track of significant yearly events.
4. Maintain records of individual events for the Modesto Mavericks.
5. Coordinate public relations.
6. Prepare periodic newsletters for the swimmers and parents.

F. League Representative. League Representative shall:

1. Attend all league meetings.
2. Update the Board on the related agenda items.
3. Vote at league meetings according to the Boards' position.

G. Volunteer Coordinator. Volunteer Coordinator shall:

1. Coordinate all volunteer activities to ensure open positions are filled.
2. Serve as the primary point of contact for volunteers, providing clear instructions, updates, and resolution to concerns/questions.
3. Collaborate with the Treasurer to ensure all outstanding unserved volunteer hours are appropriately billed at season end.

H. Head Coach. Head Coach shall:

1. Handle all wet side logistics, including meet entries, and team warm ups at meets.
2. Leadership and Philosophy
3. Maintain and promote the team's philosophy, values, and culture both in and out of the pool.
4. Serve as a role model for sportsmanship, dedication, and integrity.
5. Foster an environment that emphasizes personal growth, teamwork, discipline, and enjoyment of the sport.

I. Board Members at Large. Board Members at Large shall:

1. Attend all board meetings.
2. Oversee other team functions including, but not limited to:
 - a. Head stroke and turn official.
 - b. Head timer
 - c. Head starter
 - d. Awards for home meets

When a member of The Board fails to fulfill the responsibilities of the office as prescribed in these bylaws or standing rules or engages in conduct unbecoming to the MMST, the Board may, by a 2/3 affirmative vote, declare the office vacant.

All Officers shall perform the duties prescribed in the current edition of Robert's Rules of Order Newly Revised in addition to those outlined in these bylaws and those assigned from time to time.

Article 5. Meetings

- A. Board meetings shall be held once a month, on the 4th Monday, in the months of January-July inclusive. In all other months, the Board will meet when and/or if necessary. Meeting date may change if the board elects to do so.
- B. Missing 2 meetings can result in the removal from the board.
- C. Parent meetings may be held at the pool on the 1st Monday in the months of April, May, June, and July inclusive, and other times on an as needed basis. Meeting date may change, if voted on by the board.
- D. A special board meeting may be called by the President or The Board provided a three (3) day notice is given to all members of The Board. Except in an emergency, no business shall be transacted at that special meeting, but that business mentioned in the call of the special meeting.
- E. Seven voting members shall constitute a quorum.

Article 6. Conflicts of Interest

The purpose of this Conflicts of Interest policy is to protect the interests of the MMST when it is contemplating entering into a transaction or arrangement that might benefit the private interests of a board member, officer, or other individual in a position of authority within MMST. This policy is intended to ensure compliance with applicable California and federal laws governing nonprofit organizations and to maintain the integrity and transparency of the MMST operations.

Definitions

A. Definitions.

- 1. Conflict of Interest: A conflict of interest arises when an officer, board member, or other individual in a position of authority within the MMST has a financial, personal, or professional interest that could interfere with their impartial decision-making on behalf of the MMST.
- 2. Interested Person: Any officer, board member, or individual with delegated decision-making authority who has a direct or indirect financial, personal, or professional interest in any transaction, arrangement, or decision made by the MMST.
- 3. Financial Interest: A financial interest includes, but is not limited to, an ownership stake, compensation arrangement, or other monetary benefit that an interested person may receive as a result of the MMST's actions.

B. Duty to Disclose

All board members, officers, and individuals in a position of authority must disclose the existence of any actual or potential conflict of interest to The Board promptly. Disclosure must include the nature of the financial, personal, or professional interest and any relevant facts that may assist in the determination of whether a conflict of interest exists.

C. Determining Whether a Conflict of Interest Exists

Upon disclosure of a potential conflict of interest, The Board shall meet to determine whether a conflict of interest exists. The interested person shall not participate in deliberations or vote on the matter but may provide factual information or clarification if requested by the board.

D. Procedures for Addressing Conflicts of Interest

If The Board determines that a conflict of interest exists:

1. The interested person shall recuse themselves from participating in any discussions, votes, or decisions related to the matter.
2. The Board may seek an independent review or alternative options to ensure the transaction or arrangement is fair, reasonable, and in the best interests of the MMST.
3. The Board shall document its deliberations, decisions, and any measures taken to mitigate the conflict of interest.

E. Violations of the Conflicts of Interest Policy

If The Board has reasonable cause to believe that an individual has failed to disclose a conflict of interest, it shall inform the individual and allow an opportunity for explanation. If, after further investigation, The Board determines that the individual has knowingly or negligently failed to disclose a conflict of interest, it may take appropriate disciplinary action, which may include removal from The Board or position of authority.

F. Annual Disclosure and Acknowledgment

All officers, board members, and individuals in positions of authority shall annually sign a statement affirming that they:

1. Have received and read the conflicts of interest policy.
2. Understand their obligation to disclose conflicts of interest.
3. Agree to comply with the policy.

G. Records of Proceedings

The minutes of board meetings shall document:

1. The disclosure of any conflicts of interest.
2. The determination of whether a conflict of interest exists.
3. The actions taken to address the conflict of interest, including recusal of the interested person and any alternative measures implemented.

H. Compliance with California Law

This conflict of interest policy shall be interpreted and implemented in accordance with applicable California laws governing nonprofit organizations, including but not limited to the California Corporations Code.

I. Periodic Reviews

The board shall periodically review this Conflicts of Interest Policy to ensure it remains consistent with the Organization's mission, governance standards, and legal requirements.

Article 7. Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order shall govern this organization. In all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order this organization may adopt.

Article 8. Amendments

These bylaws can be amended at any regular meeting by a 2/3 vote provided that the amendment has been submitted at the previous regular meeting.