

# **BY-LAWS OF THE PEARLAND SWIM TEAM**

## **ARTICLE 1: NAME**

This organization shall be known as the Pearland Swim Team, formally known as the Silverlake Swim Team, and shall hereinafter also be referred to as the team.

## **ARTICLE 2: FOUNDERS**

The following individuals shall be designated as the founders of the Silverlake Swim Team now known as the Pearland Swim Team.

Patricia Sweeney  
Andrea Shaw  
Juan Caraveo

## **ARTICLE 3: ARTICLES OF ORGANIZATION**

The organization exists as a voluntary, unincorporated group of its members. These Bylaws, as from time to time amended, shall be deemed to be the articles of the organization.

## **ARTICLE 4: OBJECTIVES AND PURPOSE**

Section 1. The purpose of the team is to sponsor competitive and developmental swimming and diving events and activities in the Pearland area and between other community swimming pools in the greater Houston, Texas area: to develop in the children affected by this program a love for the sport, advanced aquatic skills, teamwork, and the principles of good sportsmanship. The team will be a member of the Clear Creek Swim League, a nonprofit organization. The team may sponsor activities that are consistent with the purpose of the team as set forth above. The team shall be a nonprofit organization.

Section 2. Notwithstanding any other provisions of these articles, the purposes for which the association is organized are exclusively religious, charitable, scientific, literary, and educational within the meaning of

501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue law.

Section 3. Notwithstanding any other provisions of this document, the purposes of the organization will be limited exclusively to exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code.

Section 4. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Sections 1, 2 and 3 of Article 4 of this document. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from Federal Income tax under section 501(c)(3) of the Internal Revenue Code or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code.

#### **ARTICLE 5: ADDRESS**

The principle address of Pearland Swim Team shall be 8325 Broadway Suite 202-86, Pearland TX 77584 or another address recommended and approved by the Executive Board.

#### **ARTICLE 6: MEMBERSHIP**

Section 1. Membership is required by all participants. A registered swimmer on the Pearland Swim Team shall be referred to as a member. The member's parents/guardians shall be referred to as a parent member, together they shall be referred to as a member family. Membership to the team shall be available to persons living within and around the Pearland

community. No person shall be denied membership on the basis of sex, racial origin or physical address. For safety purposes, all potential swimmers must be able to demonstrate that they can meet the basic requirements set forth by the coaching staff before they are granted membership. Membership is conditional upon abiding by the rules, regulations and etiquette of PEARLAND SWIM TEAM. The Executive Board reserves the right to dismiss any member that does not abide by said rules, regulations and etiquette. All fees and obligations must be current to maintain membership.

Section 2. Membership in PEARLAND SWIM TEAM implies a commitment to serve the team in a variety of capacities including, but not limited to, volunteering at competitions and events and serving on PEARLAND SWIM TEAM committees.

## **ARTICLE 7: OFFICERS**

Section 1. The officers of the team shall be a President, Membership Vice President, Ways and Means Vice President, Secretary, Treasurer, and two Members at Large. Only one parent or guardian of a swimmer on the team shall be eligible for election to one of the above positions. These officers shall be referred to as the Board. Officers will serve a one year term or until all business from that season is completed, not to exceed two consecutive years in the same position. The time necessary to finalize all activities from the previous season shall be no longer than two months from the election of the next Board. At this time, all activities and responsibilities will be transferred to the new Board.

Section 2. Under no circumstances shall any Board member(s) receive payment in any form from PEARLAND SWIM TEAM for management services rendered. Any member of the Board involved in an activity that is determined by a majority vote from the Board members to be detrimental to PEARLAND SWIM TEAM will be removed from the Board. The Board will select a replacement in accordance with these Bylaws.

## **ARTICLE 8: DUTIES OF OFFICERS**

Section 1. **President:** The president shall have general management and control of the business of the Board and shall perform such duties as ordinarily pertain to that office in overseeing the operation and activities of

the team. He shall preside at all meetings, workshops, activities, etc. of the Board.

Section 2. **Membership Vice President:** The Membership Vice President shall assist the President and, in the absence of the President, shall assume the duties of that office. The Membership Vice President shall also be responsible for the Membership and Registration committee and the Clerk of Course.

Section 3. **Ways and Means Vice President:** The Ways and Means Vice President shall assist the President and be responsible for the Solicitation and Concession committees.

Section 4. **Secretary:** The secretary shall prepare and sign the minutes of all meetings of the Board, and shall record such other resolutions, rules, procedures, etc., adopted by the Board. He shall incorporate the reports of the Treasurer and all committee chairmen into the minutes of the meeting at which presented. He shall distribute to the Board members all correspondence as may be necessary for the business or operation of the team. The Secretary shall also be responsible for the Communications and Publicity and the Technology committees.

Section 5. **Treasurer:** The treasurer shall be responsible for all funds of the team and shall deposit said funds in a bank approved by the Board. He shall keep full and accurate accounts and shall at each meeting report the status of the team's account. The treasurer shall pay all bills as provided under Article XI, *Receipts and Disbursements*. With input from the Board, the Treasurer shall develop a budget for approval at or before the November meeting.

Section 6. **Members at Large:** The members at large will represent general membership at board meetings, review scholarship applicants and assist at swim meets.

## **ARTICLE 9: VOTING**

Four (4) members of the Board shall constitute a quorum. Each officer in attendance at the Board shall be entitled to cast one vote in Board matters. Any subject being voted upon which does not receive a majority vote shall be determined by additional votes of the Board established committee chairmen in attendance.

## **ARTICLE 10: FUNCTIONS**

The Board shall constitute the supreme governing body and shall be subject to the provisions of the bylaws. The Board will have full authority to act for and on behalf of the team in the conduct of its activities.

## **ARTICLE 11: MEETINGS**

The executive meetings of the Board shall be held once a month on such dates and places as determined by the Board at a previous meeting. General meetings of all committee chairs and the Board will be held monthly from February through July. Additional meetings and workshops shall be held as provided for in the bylaws. For the purpose of conducting any meeting, a majority of the Board must be present to constitute a quorum. A meeting may be canceled by a majority of the Board in attendance or by a majority of the total Board at a separate time

## **ARTICLE 12: REGISTRATION**

A registration assessment in the amount determined by the Board each year shall be payable prior to the registrant participating in any team activities.

## **ARTICLE 13: RECEIPTS AND DISBURSEMENTS**

Section 1: Handling of Funds: The Treasurer shall receive, disburse and account for all funds of the team.

Section 2: Nominal Funds: The defrayment of normal operating costs no more than \$100.00 per expenditure will be approved by the President and Treasurer, and require no other approval.

Section 3: Use of funds: Disbursements for items other than items in section 2 are to be planned in a committees plan of work and approved by the Board with a majority vote necessary for approval.

Section 4: Receipts: Operating funds may be obtained by team sponsorship, donations, registration assessments, concessions, and advertisements

approved by the Board. The amount and acceptance of funds as listed above must receive final approval of the Board.

Section 5: Budget: The Board and chairmen of all approved committees shall develop a budget and approve it during the November Board meeting.

Section 6: Banking: The team's checking account will have the President's, at least one Vice President's, and the Treasurer's signature on the signature card. Two signatures will be necessary on all checks generated for the team's business as described by these By-laws.

Section 7: Audit: The Treasurer's accounts shall be examined annually by an auditing committee composed of three members appointed by the President. The audit committee shall be selected at the August Meeting. The President and Treasurer cannot be members of the committee, as well as any other authorized signatory on the team's account. An audit report will be submitted to the Board President at least five (5) days prior to the September meeting.

Section 8: Dissolution: In the event the team dissolves, the Board will settle all outstanding liabilities and disperse all remaining funds and assets for the good of the team.

## **ARTICLE 14: ELECTIONS**

Section 1: Elections: Officers shall be elected annually at a parents' meeting called by the president in conjunction with end of season activities. Prior to the meeting, all participating families will be notified. Each family participating the current season will have one (1) vote. Each swim family shall cast their vote by voice acclamation, or raising their hand at this annual end-of-season meeting. At the sole discretion of the Board, secret ballots, in writing, may be required to be cast by all eligible families.

Section 2: Nominations: The Board shall appoint a nominating committee to prepare a slate of officers at least one month prior to the end of season activities. The committee should not include any current Board members and shall be free from interference by the current Board. The nominating committee should solicit nominations from the team members. These nominations shall not preclude additional nominations from the floor during the annual meeting.

Section 3: Assumption of office: The newly elected Board will assume duties in accordance with Article 7.

Section 4: Replacement of President: In the event of the resignation of the President, the Membership Vice President shall assume the position until the next regular election.

Section 5: Replacement of other officers: A vacancy of any elected office other than the president will be appointed by the Board.

## **ARTICLE 15: COMMITTEES**

Section 1: Standing Committees: Committees shall consist of a chairman approved by the Board and such other persons as are selected by the committee chairman. General meetings will be attended by all chairmen or designated representatives and report or bring up for discussion all matters relevant to such committee. Chairmen will not normally vote during meetings, but on such matters that the Board is evenly split on an issue the chairmen or designated representatives shall each have a vote on the issue being considered. The committees listed below are a suggested list and may be modified, altered, combined, etc., as each Board votes to best operate the team:

- A. Membership/Registration: to handle the enrollment of new members, to actively recruit and respond to inquiries about membership.
- B. Solicitation: to raise monies by various solicitation techniques necessary to operate the team.
- C. Activities: to plan, organize, and administer the plans for facilities, pep rallies, awards banquet, and any other activity deemed necessary by the team.
- D. Swim Meets: to be in charge of organizing the meet referee, officials, head timer, set-up crew, clean-up crew, ribbons, runners, timing system, stopwatches, and any other meet day necessities.
- E. Concessions: to be in charge of all team concessions.
- F. Technology: to be in charge of maintenance of website, team computer, and any other team technologies.

- G. Communication/Publicity: to be in charge of weekly newsletter, updating website information, and release all publicity and news releases concerning the team.
- H. Clerk of Course: to be in charge of all meet information including entries, heat sheets, cards, scoring, and records (league and team).

Section 2: Special Committees: All other committees and chairmen shall be approved by the Board and other persons, selected by the chairman as necessary for the committee.

## **ARTICLE 16: AMENDMENTS**

Amendments to the by-laws may be made at any regular meeting of the executive Board by a majority vote of the voting Board members, provided such amendment is presented to the Board members in writing and has been read to the Board at a previous meeting

## **ARTICLE 17: SPECIAL MEETINGS**

Special meetings of the team shall be called by the President or a majority of the Board members. Notification must be made by the President to each Board member at least five (5) days in advance of the special meeting date.

## **ARTICLE 18: ORDER OF BUSINESS**

Section 1: Normal Order of Business: The normal order of business shall be as listed. Suspension of foregoing order only by majority vote of those present. At regular meetings of the Board the order of business shall be:

- Meeting called to order
- Reading and approval of minutes of previous meeting
- Report of treasurer
- Reports of committees
- Old business
- New business
- Announcements
- Adjournment

Section 2: Rules: Unless otherwise provided for in these bylaws, *Robert's Rules of Order Newly Revised* shall be used for transacting business.

## **ARTICLE 19: CODE OF ETHICS**

Section 1: General Behavior: It shall be considered improper and inconsistent with honorable and dignified behavior for any member of the team or adult:

- A. To conduct himself in an unsportsmanlike manner on or near any team activity.
- B. To enter the pool area being used for a team activity while intoxicated or to bring alcoholic beverages to any team activity.
- C. To use obscene or abusive language during any team activity.
- D. To conduct himself in any manner that can be considered detrimental to the best interests of the team.

Section 2: Violations: Anyone violating any of the above rules of ethics or intentionally disregarding any of these bylaws shall be subject to immediate expulsion of the team by vote of the Board. If any officer of the Board or committee chairmen is being considered for expulsion, such individual shall not participate in such vote.

Section 3: Grievances: Any grievance concerning the team or any reason associated with the team shall be directed to the chairmen of the Safety and Grievance Committee or the President in the absence of said chairmen.

## **ARTICLE 20: DISSOLUTION**

Upon dissolution of the association, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding provision of any future federal 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 of by the Court of Common Pleas of the county in which the principal office of the association is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated for such purposes.