

BETHEL PARK RECREATION SWIM TEAM

EIN: 26-2404173

PARENTS' ASSOCIATION BYLAWS

ARTICLE I

Name

The name of the organization will be the BETHEL PARK RECREATION SWIM TEAM PARENTS' ASSOCIATION; known as BPRSTPA or the Association.

ARTICLE II

Object

The object of this organization will be to develop, promote, and support the interests of the BETHEL PARK RECREATION (BPR) SWIM TEAM.

ARTICLE III

Governance

This organization shall be governed by the policies and procedures of USA Swimming, Allegheny Mountain Swimming, these By-Laws, current Standing Rules, and the provisions of legal contracts entered into by the Board of Directors of BPRSTPA, hereinafter referred to as the Board.

ARTICLE IV

Membership

The benefits and services of BPRSTPA shall be made available to any individual who desires to participate in the competitive swim program sponsored by BPRSTPA, who is physically able to do so and provided; however, at all times a majority of competitive members, are residents of the municipality of Bethel Park.

Section 1 **Defined**

A member is a family who has paid the annual membership fee and who is in accordance with the objectives of this Association.

Section 2 **Voting**

Each Member Family in BPRSTPA shall be entitled to one vote in the affairs of BPRSTPA. An adult Member (age 18 or older) in each Member Family will cast their vote.

Section 3 **Termination**

(a) Membership may terminate automatically if a Member fails to pay dues, and/or other financial obligations within thirty (30) days after notice or fails to make arrangements for payment satisfactory to the Board.

(b) A Member may resign his/her membership at any time by giving notice in writing to the President. Any refund will be subject to article V section 1 f.

(c) Membership may be terminated or suspended by Board decision if that Member fails to uphold the requirements stated in the parent Code of Conduct. Additionally, membership may be suspended or terminated, depending on the seriousness of the offense if any Member fails to uphold the standards set forth by the Head Coach and the Board and USA Swimming.

(d) The following shall be considered violations of the USA Swimming Code of Conduct and subject to termination from BPRSTPA:

(1) Violation of any of the Athlete Protection Policies set forth in Articles 304 and 305 of the USA Swimming Code of Conduct

(2) Violation of any of the Sexual Misconduct Reporting Requirements or Prohibitions Against Retaliations for Good Faith Reporting of Abuse set forth in Articles 306 and 307 of the USA Swimming Code of Conduct

(3) Conviction of, imposition of a deferred sentence for, or any plea of guilty or no contest at any time, past or present, or the existence of any pending charges, for (i) any felony, (ii) any offense involving use, possession, distribution or intent to distribute illegal drugs or substances, (iii) any crime involving sexual misconduct, or (iv) any criminal offense against a minor.

(4) Bullying is prohibited. For these purposes, the term “bullying” shall mean, regardless of when or where it may occur, the severe or repeated use by one or more USA Swimming members (“Members”) of an oral, written, electronic or other technological expression, image, sound, data or intelligence of any nature (regardless of the method of transmission), or a physical act or gesture, or any combination thereof, directed at any other Member that to a reasonably objective person has the effect of: (i) causing physical or emotional harm to the other Member or damage to the other Member’s property; (ii) placing the other Member in reasonable fear of harm to himself/herself or of damage to his/her property; (iii) creating a hostile environment for the other Member at any USA Swimming activity; (iv) infringing on the rights of the other Member at any USA Swimming activity; or (v) materially and substantially disrupting the training process or the orderly operation of any USA Swimming activity (which for the purposes of this section shall include, without limitation, practices, workouts and other events of a member club or LSC).

(5) Any inappropriate sexual conduct or advance, or other oral, written, visual, or physical conduct of a sexual nature directed towards an athlete by (i) a coach member or other non-athlete member, or (ii) any other adult participating in any capacity whatsoever in the activities of USA Swimming (whether such adult is a member or not). Any act of sexual harassment, including without limitation unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in connection with or incidental to a USA Swimming-related activity by any person participating in the affairs or activities of USA Swimming (whether such person is a member or not) directed toward any member or other person participating in the affairs or activities of USA Swimming.

ARTICLE V

General Membership Meetings

Section 1 **General Membership Meetings**

(1) Regular meetings of the Association will be held at least annually in the period from September through August inclusive, unless otherwise specified.

(2) Special meetings may be called by the President or upon the request of 25 percent or one-fourth (1/4) of the membership, or 33-1/3 percent or one-third (1/3) of the Board; the call will state the reason for the meeting.

(3) The entire general membership must be notified of any special meetings and of all regularly scheduled meetings ten (10) days prior to the date of the meetings shall be posted on the BPRSwim.org website calendar.

(4) The regular meeting in September/October will be the Annual Meeting of the Association.

(5) The regular meeting in April - June will be for the election of officers of the Association and will be referred to as the Elections Meeting. This meeting will be posted via email to the association and will be open for the association to attend when the July board meeting is held.

Section 2 **Quorum**

Fifteen percent (15%) of Members in good standing, present in person, at any properly called meeting shall constitute a quorum.

Section 3 **Voting**

(a) Method – Voting may be viva voca, but ten (10) members shall have the right to demand voting by roll call. Election of Directors, if contested, shall be by secret ballot.

(b) Decision – All matters coming before the meeting for vote shall be decided by majority vote of those voting, except where different requirements are given elsewhere in these Bylaws.

Section 4 **Minutes of Meeting**

Minutes of each meeting shall be available for inspection by any member desiring to do so as soon as practicable but no later than with the notice of the next immediate Annual Meeting of members.

ARTICLE V

Dues/Fees/Volunteerism

Section 1 **Dues** - Dues shall be set by the Board in conjunction with the Bethel Park Recreation Department and shall be sufficient to provide for the anticipated expenses of the Bethel Park Recreation Department.

(a) Member Dues - Dues for Members shall be assessed on an annual basis, per fiscal year based on operating costs and expenses to the Bethel Park Recreation Department (as a pass through via BPRSTPA)

(b) Amount – The amount of dues per Member shall be computed on the basis of a schedule set by the Board which shall take into account both the number of Members in BPR programs and the Member classification.

(c) Changes in Dues Schedule - The dues schedule may be changed retroactively.

(d) Payment – The Board of Directors shall be responsible for establishing the annual payment schedule for dues and the appropriate policies governing payment of said dues.

(e) Change in Swimmer's Group Status – In the event that group assignment of a Member is changed during the year, the resulting change in dues shall be computed on a pro-rated basis per month. Extra dues shall be payable immediately or may be paid in installments as outlined in ARTICLE VI. SECTION 1(d)

(f) Refunds – There shall be no refund of dues or release of obligation to pay dues except as follows whereby pro-rated refunds of such dues, excluding fees passed through to other organizations, would be given:

- (1) A certified medical excuse;
- (2) Relocation out of the South Hills area;

(3) Withdrawal with written notice to the Head Coach and President within thirty days from the team member's first scheduled practice.

(4) Refunds of dues or release of obligations for reasons not specifically stated in this section shall require written justification provided to the Head Coach and President and will require a unanimous approval of the Board with concurrence of the Bethel Park Recreation Director.

(g) Hardships – The BPRSTPA believes that every swimming member of the team, who swims regularly and has demonstrated a commitment to the team should be supported to continue their swimming if they or their family encounter financial hardship. Requests for hardship consideration should be made in writing to the Head Coach, President, and Bethel Park Recreation Department Director and should outline details of the hardship. All requests will be kept confidential. The decision of the Bethel Park Recreation Director will be final. Hardship consideration will only waive the dues and the parent/family members will be responsible for fees and any associated equipment/transportation costs.

Section 2 **FEES**

(a) Entry Fees – Fee as current amount set by individual competitive meets. A Meet Entry Account will be maintained for each Competitive Member for meet entry fees.

(1) A Meet Entry Account will be maintained for each Competitive Member for meet entry fees. Each Member must provide a credit card for the purpose to bill for meet entry fees.

(2) Meet Entry fees will be billed at the first of each month for the previous month's fees.

(3) Any Competitive Members with an unpaid meet entry fees for more than one month may not be permitted to enter additional meets.

(b) Allegheny Mountain Swimming (AMS) /USA Swimming –Fee as current amount set by Allegheny Mountain Swimming and USA Swimming.

(c) Membership Fee – A nonrefundable fee as set by the Board annually.

(d) Special Fees – Fees for special events and activities that may include but not limited to: yoga, t-shirt/cap, internet and processing shall be set by the Board.

Section 3 **PARTICIPATION / VOLUNTEERISM**

Volunteering hours require clearances by law. It shall be the responsibility of the Member to obtain and maintain any and all clearances required by law.

A quality program as conducted by BPRSTPA requires the active and enthusiastic participation of all Cleared Members in its operation. This includes the day to day business operations of the

Club, organizing, planning and staffing of all team events and functions and organizing, planning and staffing of swim meets at various levels of competitions throughout the year.

It is the intent of the Board of Directors that this obligation be shared by all cleared Members equally. Each Member Family is required to work a total number of volunteer hours as determined by the Board, each season in accordance with the following:

1. Each year a Member family will start with 0 volunteer hours and must accumulate the total number of volunteer hours prior to the end of the year. The year is defined as September 1st to August 31st.
2. Hours are earned by volunteering for one or more volunteer positions as identified by the Board of Directors.
3. A list of volunteer positions and the prerequisites required for each position can be found on the BPRSWIM web site under the "Parents" tab on the team website.
4. The Board of Directors will set the required number of hours prior to the start of the year and communicate this to the Members.

Should a Member family fail to satisfy their volunteer hour obligation in a given year, a fee as determined by the Board will be applied to their account at the end of the season (August). This fee must be paid prior to registration for the next swim season. Requests for exemption or review of volunteer hours earned may be brought to the BPRSTPA Board of Directors prior to August 31st of the registration year.

ARTICLE VI

Officers, their Election, Term and Duties

Section 1 The Board of the Association will consist of the President, President-Elect, Treasurer, Secretary, Vice President – Team Activities, Meet Director, Concession Chair, Membership Chair, Safe Sport Chair, Marketing/Admin Chair, Officials Chair, and AMS Representative(s) for the term of one (1) year with the exception of the President which will reside for a term of two (2) years.

A vacancy occurring in an elected office will be filled by an election of the Board. The term of the newly filled position will last for the remainder of the current term, ending August 31st.

Section 2 Nominations for the Board will be sought via e-mail at least one (1) month prior to the Elections Meeting.

- A. It is the duty of the Secretary (or another officer) to prepare an email request of the General^[KL1] Membership for nominations for all Board positions.
- B. Nominees can either self-nominate or be nominated by another member of the Association and must meet the following qualifications:
 - a. Be a member of the Association in good standing
 - b. Be a member of the Association for at least one (1) calendar year at the time of election
 - c. Consent to the nomination

Nominees must be submitted two (2) weeks prior to the Elections Meeting.

- C. It is the duty of the President to present the slate of Nominees for Board Positions and to ask for additional nominees from the floor. All Nominees are entitled to speak before the general membership at the meeting before the elections are conducted.
- D. The voting for any Position having more than one (1) nominee will be conducted on a secret ballot.. Three (3) members of the Association, including one (1) Board Member shall count the ballots and provide the final tally to the Board President.
- E. The Election of Officers will take place at the Elections Meeting, immediately following the presentation of the slate, request for nominations from the floor and voting if applicable.

Section 3 **The New Officers will assume their duties on September first (1st)**

Section 4 **The President** will preside at all the meetings of the Association and the Board, and will perform the duties which usually pertain to the Office; such as representing the Association at outside meetings and functions pertinent to the welfare of the Association. The President will also be a member ex-officio of any Standing Committees and the President will also act as chief liaison with the Coaches of the BPR Swim Team.

Section 5 **The President Elect** will serve on the Executive Board to learn the functions of the Association and the duties of the President.

Section 6 **The Treasurer** will receive all the monies earned by the Association and will give receipts for the same when needed and will pay all bills accounted for in the budget or authorized by the Executive Board. The Treasurer will be bonded, the amount of which will be stated by the Board and paid for by the Association. The Treasurer will give a summary report of the receipts and expenditures with detailed supplemental information at the regular monthly meetings. The Treasurer will serve as the advisor to the Assistant Treasurer – Swim Accounts.

The Treasurer will prepare the books for an annual regular audit as determined by the Board. The auditing should be done by an auditor selected by the Board. The Treasurer will lead the annual internal review that should occur before the regular budget meeting. This will include a presentation of all data including last year's YTD summarizations to the Board.

The treasurer is responsible for creating the first budget draft and presenting for discussion at the annual budget board meeting. This report should be presented at The new budget along with last year's YTD review will be presented at the regular Annual September/October Meeting or thereafter as soon as it is completed and then kept in the Association files.

The Treasurer will be required to work with the swim team coaches to track and pay USA swimming dues and Recreation Fees as per the Recreation Department.

Section 7 **The Secretary** will maintain all records of the meetings of the Association, the Executive Board and all committee reports; and will conduct all the correspondence of the Association; as well as maintain a permanent file of the correspondence, reports, and awards of the Association. It is the duty of the Secretary to submit the annual request for Board Positions at least one (1) month prior to the Elections meeting and to compile the list of nominees for the President.

Section 8 **The Vice President – Team Activities** will be responsible for planning the Team Activities that may include, but not limited to: annual awards reception, swimmer team bonding activities and parent engagement activities, fundraising events.

Section 9 **Meet Director** will be responsible for the bidding and organization of hosted meets. The Meet Director, assisted by the Board as needed, will coordinate all aspects of swim meets such as teams, vendors, jobs, additional revenue streams for meets. The Meet Director will also be required to ensure that all bills are accounted for and follow up on any nonpayment issues related to hosting meets and compliance to all USA and AMS requirements and guidelines.

Section 10 **The Concession Chair** will head the Concession Committee and will devise and execute plans for providing food and beverages for resale at BPRSTPA sponsored meets, community day, and fundraising events subject to the approval of the Board. The purpose of these sales is to provide additional funds for the financing of Association expenditures. This person will be required to maintain the system for parents to sign up for food donations on Team Unify or find an alternative system for record keeping.

Section 11 **Membership Chair** shall be responsible for engaging and educating the membership as their roles and responsibilities. This may include: calculating volunteer hours worked, recruiting volunteers for swim meets, and tabulating food donations for swim meets. Additionally, the Membership Chair and committee will update all volunteer clearances, provide support to members, and be the point of contact for questions. The Membership Chair will work with the Board and Coaches to devise the Parent Handbook and the presentations for the annual membership meeting in the fall for new and returning members.

Section 12 **Safe Sport Chair** shall be responsible for implementing the BPRSTPA Safe Sport Policies in coordination and compliance with USA Swimming's Safe Sport Initiative. The Safe Sport Chair's responsibilities will include, but are not limited to: keeping current with required club policies as directives are received from USA Swimming, recommending specific policies/guidelines for the organization to follow, training and educating the membership regarding abuse prevention, and providing clear expectations of behavior for adult-athlete and athlete-athlete and updating clearances on a yearly basis.

Section 13 **Marketing/Admin Chair** shall be responsible for marketing aspects of the club to encourage participation and enhance the overall perception of the club in the community. The

Marketing/Admin Chair's responsibilities will include, but are not limited to: updating the club's website and social media, creation of press releases, creating a timely email communication plan, and advocacy efforts with local appointed/elected officials.

Section 14 **Officials Chair** shall be responsible for officiating responsibilities of the club including acting at the Officials Chair for all BPR hosted meets and assisting the meet director to recruit and fill officials positions for BPR hosted meets.

Section 15 **AMS Representative(s)** The AMS Representatives are responsible for representing the BPR Swim Team at the House of Delegates Meeting of Allegheny Mountain Swimming. Allegheny Mountain Swimming is the LSC which governs swimming in Western Pennsylvania. The number of AMS Representatives from the BPR Swim Team is determined by AMS.

ARTICLE VI

The Board and its Duties

Section 1 Fifty percent (50%) of the Board will constitute a quorum for the transaction of business for and of the Association. (If any position on the Board is vacant, a quorum will consist of a majority of the current Board).

Section 2 The Board will transact the normal business of the Association. The Board will discuss and recommend action to the membership on major actions affecting the Association.

Section 3 The Board will act upon all financial requirements for membership and will review financial activity monthly.

Section 4 The Board will consider all recommendations proposed by any member of the Association, Standing Committees Chairman, or Coaches connected with the Association or authorities in conjunction with the Bethel Park Board of Recreation, before they are presented to the Association.

Section 5 Properties of the Association cannot be rented, lent, or sold without consent of the Board.

Section 6 The Board will meet on a regularly appointed basis chosen at the beginning of their term of office.

Section 7 **CONFLICT OF INTEREST**

Board members shall have an obligation to place the interests of BPRSTPA ahead of any personal interests. Any conflict of interest situation must be immediately brought to the attention of the President. The following guidelines shall apply in the event of any potential, actual, or perceived conflict of interest.

(a) Full disclosure - Board members in decision-making roles should make known their connections with groups doing business with the nonprofit. This information should be provided annually.

(b) Board member abstention from discussion and voting - Board members who have an actual or potential conflict of interest should not participate in discussions or vote on matters affecting transactions between the club and the other group.

Section 8 **REMOVAL OF DIRECTOR(S) FROM OFFICE**

(a) Recall by Membership – Any Director may be removed from office, with or without cause, at any annual or special meeting of Members, which stated in its notice that such action was contemplated, by majority vote of the members present.

(b) Removal by Board Action – A Director missing three (3) consecutive meetings of the Board, who does not carry out the duties of their office or who

violates the Conflict of Interest policy may be removed from office by majority vote of all the other Board members.

(c) Automatic Removal – A Director whose membership is terminated in accordance with ARTICLE III, SECTION 3, violates the Parent Code of Contact and/or is no longer in good standing shall automatically be removed from the office.

Section 9 The Concessions Chairman will head the Concessions Committee and will devise and execute plans for providing food and beverages for resale at BPR sponsored meets, subject to the approval of the Executive Board. The purpose of these sales is to provide additional funds for the financing of Association expenditures. This person will be required to maintain the system for parents to sign up for food donations on Team Unify or find an alternative system for record keeping.

Section 10 The Meet Director will be responsible for organizing and directing BPR sponsored swim meets, including obtaining building permits; completing Meet Sponsor and Meet Invitation paperwork; applying for Sanctions; scheduling timing equipment; establishing an advertising committee; ordering awards; printing heat sheets; requesting and scheduling volunteers; scheduling meet officials; completing Meet Summaries and Results; and any and all other duties required to assure the smooth operation of swim meets.

The Executive Board may empower the Meet Director to make expenditures associated with a specific BPR-hosted meet without their prior approval. The Meet Director shall submit a financial statement inclusive in his/her report to the President within ten (10) days from the last day of each meet.

ARTICLE VII

Committees

Section 1 The Board, at its discretion, may employ the use of Committees to ensure the obligations of the Association are met or in order to promote the Association and the Swim Team in general. As a committee is created and appointed for a specific purpose, it automatically goes out of existence when its work is completed.

ARTICLE VIII

Amendments

Section 1 The Board will appoint a committee for revision of the Bylaws when necessary. A review should be conducted every even year.

Section 2 Any change or amendment of the Bylaws must be announced on two (2) separate occasions preceding the vote; this should be done such: one (1) written – posted in the pool balcony/pool deck and two (2) website – posted on the www.bprswim.org website under the “forms” section.

Section 3 It will take two-thirds (2/3) vote of the members present and voting to change or amend the Bylaws.

Section 4 Standing Rules contain only such rules as may be adopted without previous notice by a majority vote at any general membership meeting. The vote on their adoption, or their amendment, before or after adopting may be reconsidered, and at any general membership meeting they may be suspended, amended, or rescinded by a majority of the general members present and voting.

ARTICLE IX

Parliamentary Authority

Section 1 The rules contained in “Robert’s Rules of Order Revised” will govern the Association in all cases to which they are applicable and in which they are not inconsistent with these Bylaws.

Section 2 The interpretation of the proper application of “Robert’s Rules of Order Revised” shall be made by the President or his/her appointee.

ARTICLE X

Funding Policy for Coaches Attending Travel Meets

Section 1 The Association shall support Coaches attending travel swim events through an annual budget contribution as determined by the Board and communicated to the membership. The funds shall be used to pay coaches expenses associated with travel and attendance during these events with Bethel Park Recreation Swim Team athletes.

ARTICLE XI

Funding Policy for Swimmers Attending Olympic Trials, U.S. Open, Nationals, Grand Prix, Junior Nationals, Sectionals, Legends, and Zones Meets

Section 1 The Association will provide funding to member families whose swimmers qualify for and participate in Olympic Trials, U.S. Open, World Championship Trials, Nationals, Junior Nationals, Sectionals, Futures, Legends, and Zone swim events. In all cases, the amount of funding provided will not exceed a family's out-of-pocket expenses for a particular meet after reimbursements from all other sources. The Association will fund athletes dependent upon meet level with an annual budget contribution as determined by the Executive Board and communicated to the membership .

Section 2 In order to qualify for funding, athletes of member families must meet the funding requirements that are listed below:

A. Short Course Season Funding Requirements

- a. Swimmers will be deemed eligible for funding after
 - i. attending at least 3 meets
 - ii. swimming in at least 6 sessions of meets (not including finals)
 - iii. swimming at least 18 events (not including finals)

B. Long Course Season Funding Requirements

- a. Swimmers will be deemed eligible for funding after
 - i. attending at least 2 meets

- ii. swimming in at least 4 sessions of meets (not including finals)
- iii. swimming at least 12 events (not including finals)

Section 3 College swimmers training with Bethel Park Recreation Swim Team during the Long Course Season may become funding eligible after meeting the above requirements along with paying an Association Membership Fee as set forth by the Board.

Section 4 Designated “relay only” swimmers shall not be eligible for funding reimbursement.

ARTICLE XII

Indemnification

Section 1 Each person who is or was an Board member, director, officer, or employee of the Association (including the heirs, executors, administrators, or estate of such person) shall be indemnified by the Association to the full extent permitted by the Nonprofit Corporation Law of the state of Pennsylvania against any liability cost or expense incurred in the capacity as Board member, director, officer, or employee, or arising out of the status as an Board member, director, officer, or employee (including serving at the request of the Association as an Executive Board member, director, officer, employee, or agent of another corporation).

Section 2 The Association will maintain Directors & Officers Liability insurance at its expense, to protect itself and any such person against any such liability, cost, or expense.
