

Constitution and By-laws of Aloha Aquatics – Mililani

ARTICLE I: NAME

SECTION 1: The name of this club is ALOHA AQUATICS-MILILANI, a non-profit tax-exempt corporation.

SECTION 2: The use of the amplifying title “MILILANI” is included solely to differentiate this club from other area programs and is not part of the club name in normal use.

ARTICLE II: OBJECTIVES AND PURPOSE

SECTION 1: The purpose of the club is to support and promote a program for the training of swimmers who desire to participate in competitive swimming events sponsored by USA Swimming or others.

SECTION 2: The objectives of the club shall be to provide:

- A. Wholesome and worthwhile physical and recreational outlet
- B. Opportunity to learn sportsmanship and make swimmers aware of team cooperation
- C. Opportunities for social and emotional development
- D. Educational travel opportunities
- E. Opportunities to learn good health habits
- F. Training and competition to all swimmers who desire it
- G. Increase skills and knowledge for high school, college and senior USA Swimming level of swimming.

ARTICLE III: ORGANIZATION

SECTION 1: The Club is organized as a USA Swimming affiliated club.

SECTION 2: The activities of this club shall comply with the policies of the local swim committee (LSC), and USA Swimming.

SECTION 3: The club is organized for education and instructional purposes only and is not organized for profit and no part of its assets, income or earnings shall be distributed to its members, directors or officers, except for services actually rendered to the club.

ARTICLE IV: MEMBERSHIP

SECTION 1: Classes of membership

- A. Participating membership – All persons who swim for the club.
- B. Supporting Membership – Any other active member.

C. Contributing Membership – A Contributing member is one who gives money, property or service the club for the exclusive use of development of participating members of the club to further the swimming program.

D. Associate Membership – An Associate member is one whose participation in the club is honorary, temporary and /or limited in nature.

SECTION 2: Eligibility for Membership

A. Participating Member (1) Desire to participate actively in the swimming program of the club, and (2) Has passed the “learn to swim” program or its equivalent which is the ability to swim.

B. Supporting Member

(1) Parents or guardians or participating members and/or,

(2) Any person interested in taking an active part in conducting the business and affairs of the club and in implementing the program of the club.

C. Contributing Member

(1) Other persons interested in the program

D. Associate Member

(1) Based upon determination and approval by the Board of Directors and Members at Large.

SECTION 3: Registration of Members

A. Any qualified person, as defined above shall be admitted to membership upon registration with the treasurer, payment of applicable dues and approval of the Head Coach.

B. Only members’ parents or guardians of good standing are entitled to vote. A member is in good standing if he or she is current with all financial obligations owed to the club.

SECTION 4: Termination of Membership

A. Membership may be terminated if the member is in arrears for three (3) months of his/her club dues at which point the swimmer will not be allowed on deck to practice or participate in meets.

B. Membership may be terminated in the event that the member does not participate in all mandatory club fundraising campaigns.

C. Membership may be terminated in the event that the member’s parent or guardians do not participate in the officiating of swim meets that the club participates in.

D. A minor participating member shall have his/her parents or guardians terminate membership by notifying the treasurer and coach either verbally or in writing.

E. Upon notice of termination, the member shall still be responsible for any current or past club dues.

F. Member’s travel account fund reverts to the club’s general fund thirty (30) days from the date of termination.

SECTION 5: Reinstatement of Membership

A. It is the club's discretion whether to allow a member to rejoin the team as approved by a quorum of the board. Should a member be allowed to rejoin the team, they will be charged a \$25.00 registration fee in addition to all paying dues that are in arrears.

ARTICLE V: DUES AND FEES

SECTION 1: Membership Dues

The Board of Directors shall meet annually (within the last two (2) months of the fiscal year) to set dues for the upcoming fiscal year. Any changes must also be approved by the Members at Large.

- A. Dues will be assessed to the families of participating members and consist of the following:
\$100 for the first child, \$90 for the second child, \$80 for the third child and free after that for participating members.
- B. Contributing and associate membership fees will be administered by the Board of Directors.

SECTION 2: Fixed Charges

All persons who swim for the club will be charged: the annual USA Swimming registration fee (which includes accident insurance and dues to the LSC committee); and coaches travel fund of \$3.50 per month upon acceptance to the club. Entry fees, when applicable, will be charged for registration in swimming meets.

All persons who wish to join the team will be charged a \$25.00 registration fee per family.

SECTION 3: Maintenance Fee

There is limited provision for a swimmer to temporarily leave the team without forfeiting the travel account. A swimmer may leave the team for a maximum of three consecutive months and pay 25% of that swimmer's regular dues.

SECTION 4:

Payment of Dues are done through Team Unify. Cash and mail in payments will not be accepted.

A late fee of \$5.00 per month will be assessed to a swimmer's account if payment is not received by the 10th of the month.

All members are charged a monthly \$25 volunteer fee. Volunteers earn hours by volunteering in various activities. Volunteer hours are converted to a dollar amount. This dollar amount goes toward paying your volunteer fee. Members will be charged a \$25 fee for failure to have the minimum amount to cover the volunteer fee.

ARTICLE VI: OFFICERS

SECTION 1: Officers

Officers shall be President, First vice-president, Second vice-president, Secretary, Treasurer, Local Swim Committee representative and Director of Information Systems. Each Officer of the club shall be a supporting member in good standing and shall assume the duties as prescribed in attachment (1) to this constitution.

SECTION 2: Election and Term of Office

Nominations must be submitted by July 31st and may also be taken at the August general meeting. Elections must be held by August 31st. The terms of the offices are outlined in attachment (2) section 5.

SECTION 3: Vacancies

In the event of a vacancy in any office, the board of directors shall have the power to fill such vacancy for the rest of the term, except in the event of a vacancy in the office of the President, the First vice-president shall automatically advance in office.

ARTICLE VII: MEMBERS AT LARGE

SECTION 1: Elections

Four (4) positions of Members at Large have been established to represent the “General Membership” in voting on budgetary issues and to participate on special and standing committees. Positions are divided to represent the older and younger swimmers equally. Nominations will be accepted and elections held at the August meeting.

SECTION 2: Terms of Office

The term shall run for one (1) year from September to August.

SECTION 3: Vacancies

In the event of a vacancy, the Board of Directors shall have the power to fill such vacancy for the rest of the term.

ARTICLE VIII: BOARD OF DIRECTORS

SECTION 1: The Board of Directors, hereafter call the “Board” shall include all officers of the club and the head coach.

SECTION 2: Duties and Functions

The general management of the club shall be delegated to the Board and its powers; duties and functions shall be outlined in attachment 1, 2, and 3 (appended hereto).

SECTION 3: Meeting of the Board and Quorum

- A. The Board should meet at least once a month.
- B. Fifty percent (50% of the members of the board shall constitute a quorum for the transaction of all business.
- C. Each board member has one vote. The head coach may not vote on budget decisions.
- D. The President may invite the Members at Large, committee chairs or others to attend any meetings of the Board.

ARTICLE IX: STANDING COMMITTEES

SECTION 1: The following standing committees have been established:
Incentive, Travel, Fund Raising, Hospitality, Banquet, Swim Meet and Recruiting Committee.

SECTION 2: Members will be selected from volunteers or appointed by the President.

ARTICLE X: COACH(ES)

SECTION 1: The duties and functions of the coach(es) are outlined in attachment 3

ARTICLE XI: MEETING OF THE CLUB

SECTION 1: The club should hold General Membership meeting quarterly.

SECTION 2: The President may call a special meeting at any time.

SECTION 3: Voting

Each family unit in good standing shall be entitled to one vote. Simple majority of the membership present shall decide all questions except amendments to the constitution and its by-laws.

SECTION 4: Conduct of Meetings

Meetings will be informal in nature; however, when procedural questions arise, the rules contained in the current edition of Robert's Rules of Order shall govern conduct of the meeting.

ARTICLE XII: FISCAL YEAR

SECTION 1: The fiscal year of the club shall be from January 1st to December 31st .

ARTICLE XIII: AUTHORITY

SECTION 1: In case any situation arises which is not covered by the constitution and by-laws of the club, the Board shall make an initial decision, subject to validation by the Members at Large or the membership at a regular meeting and upon majority vote.

ARTICLE XIV: AMENDMENTS

SECTION 1: No amendments shall be made to this constitution and by-laws and the attachments at any meeting except by simple majority of the votes cast by the supporting members represented (each family) via electronic means on or before the next scheduled board meeting. Before a vote is taken, the proposed amendments must have been submitted to the Board and at least fifteen (15) days notice thereof given by the Board to all supporting members of the club.

ARTICLE XV: OFFICIATING STANDARDS

- A. There must be a minimum of one official per five swimmers for all swim meets, as stated by the LSC and USA Swimming rules.
- B. A parent with one swimmer should officiate at least six (6) meets per swim year (Three for short course and three for long course).

Attachment (1)
to the Constitution and By-laws

OFFICERS AND THEIR DUTIES

1. **PRESIDENT:** The President shall preside over all meetings of the club. He/she shall exercise general supervision over its business and affairs. He/she shall appoint the chairman for standing and special committees and shall perform any other duties as are customary to the office of the President. He/she will be one of two countersignatures of all checks drawn against the funds of the swim club.
2. **FIRST VICE-PRESIDENT:** The First vice president shall assume the duties of President in his/her absence and perform them with the same authority as the President. He/she shall serve as rules/constitution adviser and safety officer. He/She shall be designated as the club's registrar.
3. **SECOND VICE-PRESIDENT:** In the absence of the President and the First vice president, the Second vice-president shall assume the duties of the President. He/she shall be property manager of the club. It shall be his/her duty to maintain an inventory of all property belonging to the club and shall submit a report of the final inventory at the first regular meeting of the following year.
4. **SECRETARY:** The Secretary shall keep and maintain the general records of the club including records of the minutes. The Secretary shall submit a copy of the minutes to each member of the board. The Secretary shall notify Board members of all meetings at least one week in advance of the meeting. He/she will be one of two countersignatures of all checks drawn against funds of the swim club.
5. **TREASURER:** The Treasurer shall be the custodian of the funds of the club and shall collect all dues and receive all monies. The Treasurer and the President or the Secretary will sign all

checks drawn on the club's account. The Treasurer shall submit an annual financial report to the general membership and as a matter of routine will submit monthly reports to the Board members. In addition, the Treasurer shall maintain a correct classified list of the names and addresses of all members which, shall be transferred to his/her successor at the close of his/her term of office. The Board of Directors may authorize the president to retain an auditor to examine the financial affairs of the club, including an audit of its books and report the audit to the membership at the first regular general membership meeting following completion of the audit.

6. LOCAL SWIM COMMITTEE (LSC) REPRESENTATIVE: The LSC representative will normally be a collateral duty of the President, First vice-president or Second vice-president. He/she will faithfully represent Aloha Aquatics at meeting of the Local Swim Committee and will report on those proceedings at the next board meeting.

7. Director of Information Systems (DIS): The DIS shall be responsible for maintaining the Volunteers hours, the AAA website, AAA Facebook page, and all electronic means by which the club communicates with the community.

Attachment (2)
to the Constitution and By-laws

BOARD OF DIRECTORS

SECTION 1: Function of the Board

The function of the Board shall be to formulate policies and to direct the club in carrying out the purposes and objectives as stated in Article II of the Constitution.

SECTION 2: Duties and Powers of the Board

- A. To admit to membership any applicant eligible under the constitution and by-laws.
- B. To impose and enforce sanctions and penalties for any violation of the constitution by-laws and rules of the club.
- C. To establish an operating budget for the fiscal year.
- D. To collect all monies due to the club and to expend the same. All unforeseen miscellaneous expenses of \$250.00 must be approved by the Board and then by simple majority vote of Members at Large present at a meeting.
- E. To call the meetings of the club and to fix the time, date and place for same. F. To provide for the training needs of the club.

SECTION 3: Meeting of the Board

The Board of Directors shall meet at least once a month.

SECTION 4: Quorum

There must be a quorum at all meeting of the Board, a quorum shall consist of fifty percent (50%) of the members.

SECTION 5: Term of Office

Officers shall be elected for the following terms;

- President - two (2) years
- 1 st Vice President - two (2) years
- 2 nd Vice President - two (2) year
- Treasurer - two (2) years
- Secretary - two (2) years

The terms of the President, 2nd Vice President, and Secretary shall run concurrently along with the terms of the 1st Vice President and the Treasurer. The term shall run from September through August and officers may be re-elected without term limit.

SECTION 6: Vacancies

When a board member vacates his/her position or absents him/herself from three (3) consecutive board meetings without a valid excuse, he/she shall be relieved of his/her position by action of the board. The President, with confirmation of the board, shall appoint his/her successor within thirty (30) days.

SECTION 7: Coaches

The Board of Directors shall have the authority to appoint/dismiss the head coach with a thirty (30) day notice given to the general membership and subject to general membership approval. The head coach will appoint his assistants with the approval of the board. Coach(es) will be provided expense monies. Amounts of such monies shall be determined by the board and members-at-large. The coach(es) duties and responsibilities will be in written form and issued as an attachment to this constitution and by-laws.

Attachment (3)
to the Constitution and By-laws

COACH(ES) JOB DESCRIPTION

Under the direction of the Board of Directors, the head coach has the responsibility for results and with latitude for independent judgment, plans and directs the training program and the competitive activities of the club. This will be done in such a manner as to teach all swimming members to be proficient in all swimming strokes. It is not expected that a championship team or few individual champions be consistently produced. The primary goal should be that the program be structured to enable all swimmers to learn the value of hard work, discipline, good sportsmanship and team morale.

The Head Coach shall:

1. Have previous experience as either assistant or head coach of a club involved in the age group swimming program, either in Hawaii or elsewhere.
2. Be knowledgeable of the rules of swimming governing the participating in or sponsoring of USA Swimming sanctioned swimming meets.
3. Be one of the official club representatives of the USA Swimming LSC and attend meetings of this committee.
4. Attend meeting of the Board of Directors of the club with the express purpose of input, less voting privileges of the budget.
5. Direct the assistant coach(es) and insure that training plans and routines are followed by weekly observation.
6. The head coach will teach and train the swimmers in improving their skills and knowledge while fostering their attitudes toward swimming. In his/her instructions and training, the head coach will use every means available in applying the mechanical and technical principles involved in swimming.
7. Take full charge of the team at meets, watching and maintaining proper behavior with parental assistance.
8. Ensure that each swimmer has the opportunity to compete in meets as often as his/her ability and progress permit.
9. Work with the Board of Directors and the club meet director so that the club may participate in and/or sponsor swimming meets in accordance with USA Swimming rules of swimming.
 - A. The head coach will make final decisions on Oahu meets and advise the Board accordingly.
 - B. The head coach and the Board of Directors working together will decide on off-island meets. Financial details to be determined by the Board. Coaching details to be determined by the head coach.
10. The head coach shall not be interrupted during practice sessions so swimmers can get undivided attention.
11. The head coach will direct, with assistant coach(es) and volunteer parents:
 - A. The recording and maintenance of individual swimmer's progress, attendance at practice sessions and participation in competitive meets. This should include each swimmer's times achieved in each stroke and distance so that each individual swimmer may be entered in competition at the various meets for which they may be eligible.
 - B. The preparation of meet entry for each swimmer who will swim in the various meets.
12. The head coach shall exercise the following good personal character factors considered important to coaching success:
 - A. Tact and diplomacy: pleasant mannerisms, observance of the rights, opinions and feelings of others.
 - B. Punctuality and initiative during practice, meets and meetings: make good use of our notice system in case of changes in schedules.
 - C. Cost consciousness: safety and equipment care and upkeep: respect for other people's property are all part of the coach's responsibility to teach and practice. D. The

head coach and assistant coach(es) will confer with parents on swimmers progress and conduct.

Attachment (4)
to the Constitution and By-laws

CONSTITUTION AND BY-LAW CHANGE HISTORY

Change Date	Section #	Description	Changed by	Approved By	Approval Date
10/22/10		Whole Document Recreated	editable, electronic version of document	Keith Gruce	
		Board of Directors			10/21/10

10/22/10 Pg 3, Article V, Section 2 Changed coaches travel fund from \$7.50 per month per family to \$3.50 per month per swimmer. Keith Gruce General Membership 03/13/10

10/22/10 Pg 12, Attachment (4) Added Attachment (4) Change History Keith Gruce NA NA

3/26/11 Pg 3, Article V, Section 3.A. Removed reference to decreasing rate for third participating member within a family. Keith Gruce General Membership 3/26/11

8/19/12 Pg 7, Attachment 1 Added “and safety officer” to description of First Vice president Sandra Frasz General Membership 8/11/12

8/19/12 Pg 8, Attachment (2), Section 5 Changed Second Vice-president from a 1 year rotation to a 2 year rotation aligned with the President and Secretary Sandra Frasz General Membership 8/11/12

8/19/12 Pg 4, Article VII, Section 1 Added “and to participate on special and standing committees” to job description of Members at Large Sandra Frasz General Membership 8/11/12

12/4/19 Article XIV, Section1 to say ”simple majority vote of the votes cast by” and “via electronic means on or before the next scheduled board”. Tumoana Kenessey General Membership 11/5/19

12/4/19 Article V, Section 1 to say “last two (2)” added “current” and added “Fiscal”. Tumoana Kenessey General Membership 11/5/19

12/4/19 Article VI, Section 1 added “Director of Information Systems” to the board.. Tumoana Kenessey, General Membership 11/5/19.

7/31/2021 Article IV, SECTION 5: Reinstatement of Membership

- B. It is the club's discretion whether to allow a member to rejoin the team as approved by the board. Should a member be allowed to rejoin the team, they will be charged a \$25.00 registration fee in addition to all paying dues that are in arrears.

7/31/2021 Article V Dues and Fees:

- A. Dues will be assessed to the families of participating members and consist of the following: \$100 for the first child, \$90 for the second child, \$80 for the third child and free after that for participating members.

7/31/2021 Article V Dues and Fees Section 2 Fixed Charges:

- All members are charged a monthly \$25 volunteer fee. Volunteers earn hours by volunteering in various activities. Volunteer hours are converted to a dollar amount. This dollar amount goes toward paying your volunteer fee. Members will be charged a \$25 fee for failure to have the minimum amount to cover the volunteer fee.

All persons who wish to join the team will be charged a \$25.00 registration fee per family.