

# ELLENSBURG AREA SWIM TEAM PARENTS' CLUB BY-LAWS

## ARTICLE I: NAME

The name of this organization shall be the Ellensburg Area Swim Team Parents' Club. It is a nonprofit organization, organized and existing under the laws of the State of Washington and within the meaning of Section 501(C)(3) of the Internal Revenue Code. The name may be abbreviated officially as EAST.

## ARTICLE II: AUTHORITY

The by-laws are the final authority for this organization. In the event of any perceived conflict between the by-laws and any other adopted procedural documents, the by-laws shall be the greater authority.

## ARTICLE III: PURPOSE

The Ellensburg Area Swim Team is a nonprofit organization committed to promoting the sport of competitive swimming in our community, as well as the development of a high standard of competitive swimming as seen at the local, regional, and national level. The standards being proper stroke technique, a competitive spirit, self-discipline, and ~~a sense of fair play~~ respect.

## ARTICLE IV: ~~PHILOSOPHY~~ Mission, Vision and Safe Sport

~~IMPROVEMENT IS MORE IMPORTANT THAN WINNING. EAST swimmers will always try their best and display fine sportsmanship regardless of the outcome of the event.~~

### MISSION

The Ellensburg Area Swim Team's mission is to provide athletes with the environment to realize his or her potential and learn the skills that will enable success in swimming and life.

### PURPOSE

The purpose of EAST shall be first be to promote interest and success in competitive swimming. Athletes shall be treated equally and shall advance in the competitive groups based on merit and attitude. EAST represents the interests of the swim team to the Inland Empire Swimming. This representation is performed in accordance with the revised Articles of Incorporation and under the rules prescribed by USA Swimming and Inland Empire Swimming.

### SAFE SPORT

The primary purpose of EAST is to encourage participation and the pursuit of excellence in swimming. Unfortunately, safety problems can derail this goal and negatively impact lives. This is especially true if the problem could have been prevented. **PREVENT, RESPOND and REPORT** are three specific actions each person can do. Our athletes will have monthly training educating them on each of these actions. These actions not only help prevent safety problems but ensure those which do occur are properly addressed.

## ARTICLE V: MEMBERSHIP AND VOTING RIGHTS

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**SECTION 1.** This organization shall have two levels of membership, defined as follows:

- A. GENERAL MEMBER: Anyone who is a member in good standing of EAST.
- B. ASSOCIATE MEMBER: Anyone who supports EAST through voluntary financial contribution or in-kind service. Associate members are non-voting members, are not assessed dues, and may not hold office.

**SECTION 2. VOTING RIGHTS.** Each family in good standing, whether being of two-parent or single-parent status, shall have two votes. Proxy may pass from spouse-to-spouse (or the equivalent thereof) but may not pass outside the family unit.

Families not in good standing are not eligible to vote.

**SECTION 3. "IN GOOD STANDING"** is defined as having all monthly fees and charges paid in full. Any member under any sanction by the board or USA Swimming organization shall not be in good standing.

**SECTION 4. CHARGES AND FEES** shall be collected on a monthly basis. Payments are due in full by the 15<sup>th</sup> of the month of billing. Payments received after the 15<sup>th</sup> of the month are considered past due and shall be subject to a late fee. Balances past due greater than 60 days shall prohibit the member(s) from participating in EAST activities. In addition, each swimmer must always possess a current City of Ellensburg pool pass. Passes are to be purchased directly from the city pool staff.

**SECTION 5. SUSPENSION OF MEMBERSHIP.** Membership and voting rights of a family may be suspended and their swimmer(s) barred from practice and competition by a majority vote of the Executive Board after an appropriate hearing concerning non-payment of statements or other conduct unbecoming of EAST membership as described by the board. Such non-payment for ~~one complete month~~ 60 days shall be grounds for suspension. Membership is automatically reinstated upon full payment of all monies due, or by making other suitable arrangements with the Executive Board.

**SECTION 6. TERMINATION OF MEMBERSHIP.** Membership and voting rights of a family shall be automatically terminated when a family ceases to have an active swimmer on EAST. "Active swimmer" is defined as being one for whom monthly fees are being paid, ~~and who possesses a current city pool pass.~~ Any office held at the time of termination must be vacated. Termination of membership shall not relieve the parent of the obligation to pay all fees and charges accrued but unpaid at the time of termination.

Membership of parents shall not be affected by a temporary disciplinary suspension of a swimmer. Membership of swimmers shall not be affected by a temporary disciplinary suspension of a parent.

**SECTION 7. POWERS RETAINED BY GENERAL MEMBERSHIP**

- A. The general membership shall elect or remove Board members (except as provided in Article VIII, Section 3), amend by-laws, develop and amend policies manuals and approve the annual budget and any supplemental appropriations.

- B. The general membership shall have the final authority to reject any Executive Board decision through the referendum process. To start the process any member in good standing may, within thirty days of the meeting at which the disputed decision was made, submit to any Board member a petition with the signatures of twenty percent of the members in good standing requesting that the action in question be referred to the general membership for review and approval or rejection. The petitioners' rationale must be stated on the petition. The Board will then, in a timely fashion and without censure, distribute notice of the referendum issues to all general members and schedule a general membership vote on the issue at the next regularly scheduled meeting, be it a general membership or Board meeting. A majority vote of those members in good standing present at the scheduled meeting will decide the issue and that vote shall be binding.

## ARTICLE VI: MEETINGS

**SECTION 1. GENERAL MEMBERSHIP MEETINGS** shall be held annually in ~~September~~August. Additional meetings shall be called by the Executive Board when requested to do so in writing, with rationale, by ~~at least five~~20% of general members in good standing. In the absence of such a request, the Board may call a special general membership meeting whenever it feels a need to do so as evidenced by a majority vote of the Board. The general membership must be given one week's written notice of special meetings.

General membership meetings shall follow these guidelines:

- A. The meetings shall be open to the public, although only members in good standing may vote.
- B. A call to meeting, complete with agenda, shall be distributed to the general membership at least one week prior to the meeting.
- C. Minutes of the meeting shall be distributed to the general membership within two weeks following the meeting.
- D. Action may be taken only on matters included in the call to meeting, although other matters may be discussed.
- E. A quorum shall be 20% of those members in good standing in attendance based on the most recent months active membership.

**SECTION 2. EXECUTIVE BOARD MEETINGS** shall be governed by the following guidelines:

- A. Board meetings shall be held at least quarterly at the convenience of the Board members except that special meetings may be called by any member of the Board.

- B. Board meetings, including the right to address the Board, shall be open to all members although only Board members may vote. The exception shall be that the Board may meet in closed session to discuss grievances, personnel matters and suspension/termination of membership, but action on such matters shall be taken at an open Board meeting or grievance hearing.
- C. A call to meeting, complete with agenda, shall be distributed to the general membership at least one week prior to the meeting.
- D. Minutes of the meeting shall be distributed to the general membership within two weeks following the meeting.
- E. Action may be taken only on items included in the call to meeting, although other items may be discussed.
- F. Quorum shall be three Board members.
- G. Passage of any item requires three affirmative votes.

**SECTION 3. PARLIAMENTARY AUTHORITY** for EAST Parents' Club shall be Atwoods Rules for meetings Roberts' Rules of Order, Newly Revised. The President shall have the ultimate ruling for interpretation and application of these rules.

#### **ARTICLE VII: OFFICERS**

**SECTION 1.** This organization shall elect the following officers: president, vice-president, secretary, treasurer, ~~public relations~~ Fund Raising Coordinator, and an ~~“at-large” member~~ Officials Coordinator and a Safe Sport Coordinator. ~~The current swim meet director shall serve as the seventh board member.~~

**SECTION 2. TERM OF OFFICE** for all elected officers shall be ~~one year~~ Two Years, except that each officer shall serve until his successor takes office. The term in office for the meet director position shall remain flexible.

**SECTION 3. NOMINATIONS AND ELECTION.** The Executive Board shall, at their last meeting prior to the annual meeting, appoint a three-member nominating committee every other year. This committee shall be comprised of three members, one of whom may be a member of the Board, and shall present a proposed slate of officers for approval by the general membership at the ~~September~~ August general membership meeting. Additional nominations will be asked for from the floor. If any additional nominations are made, there will be a separate election for all offices being filled by election for which there is more than one candidate, the remaining offices to be voted on as a unit. If no additional nominations are made, the entire proposed slate of officers will be voted on as a unit. The new officers will assume office following the annual meeting.

#### **ARTICLE VIII: EXECUTIVE BOARD**

**SECTION 1.** The officers of EAST shall comprise the Executive Board.

**SECTION 2. DUTIES.** The Executive Board shall conduct the business of the organization and is vested with all powers not retained by the general membership. It shall act in all official dealings with the coaches, the City of Ellensburg, Central Washington University, the Inland Empire Association, USA Swimming and other swim clubs and organizations. It shall hear and act on all grievances. It shall, subject to the budgeting process, set coaching fees, miscellaneous fees, and expense reimbursement.

**SECTION 3. VACANCIES.** The Board will declare a vacancy if a Board member resigns or is absent from two consecutive meetings without prior arrangement. Vacancies shall be filled by appointment by a majority vote of the Board after the Board first notifies the general membership, ~~in writing via the family file box~~, of the vacancy and requests volunteers to fill the vacant seat. Members shall have one week from date of notice to respond in writing to the president.

The exception shall be that if the office of president is vacated, the vice-president shall become the new president and the Board will fill the open vice-president seat from within the Board and then notify the general membership of the most recently vacated seat.

**SECTION 4. REMOVAL** of a Board member shall be by written petition signed by two-thirds of all members in good standing.

**SECTION 5. APPEARANCE OF FAIRNESS.** The Board will maintain an appearance of fairness when considering all issues before it. Any Board member who may appear to be in conflict with this rule shall remove ~~himself-themselves~~ from the proceedings in question.

#### **ARTICLE IX. GRIEVANCE PROCEDURE**

The first step in a grievance shall be for the two parties to attempt to come to agreement between themselves by whatever means are acceptable, utilizing the EAST Code of Conduct as a ~~to~~guide, to all concerned provided there is no conflict with these by-laws or any other procedural documents which may be adopted by this organization. Such an agreement must be documented and signed by all parties involved and recorded with the secretary with seven (7) days of signing. If no agreement can be reached then the matter can be referred, in writing by either party, to the president for binding mediation by the Executive Board. The Time limit for filing a grievance is 15 days from the time the incident being grieved took place.

Grievance hearings shall be held within seven (~~7~~15) days and shall be closed to all but the concerned parties and their witness(es). The Board may disallow any witness contingent upon their relevancy to the specific grievance. ~~No fewer than five (5)~~A Quorum of members of the Executive Board shall hear said grievance.

A summary of the proceedings shall be available to any member in good standing upon request to the president or secretary.

#### **SECTION X. AMENDMENTS**

The procedure to amend the by-laws shall be as follows:

- A. A petition stating the proposed amendment and the rationale for the amendment, signed by twenty percent of the members in good standing, must be submitted to any member of the Board.

~~A.B.~~

~~B.C.~~ The Board will then distribute a copy of the petition along with a notice that discussion of the amendment by the general membership will be placed on the agenda for the next scheduled meeting, be it a general membership meeting or Board meeting.

~~C.D.~~ A vote on the proposed amendment shall be taken at the next regularly scheduled meeting, be it a general membership or Board meeting. To be adopted, the amendment must receive an affirmative vote of two-thirds of all members in good standing present at the meeting.

**ARTICLE XI. FISCAL YEAR** for reporting purposes shall be September 1 through August 31.

**ARTICLE XII. DISSOLUTION**

This organization may elect to dissolve by a two-thirds vote of all families in good standing at a meeting scheduled under the provision of these by-laws. Members may cast their vote in person or by written vote received by the secretary prior to the meeting. The motion for dissolution shall name three members to act as trustees to pay or make adequate provisions for all liabilities and to distribute remaining assets, and shall fix a time for completion of liquidation.

Distribution of assets shall be made in compliance with Section 501(C)(3) of the Internal Revenue Code.

