

**BYLAWS
OF THE VALLEJO AQUATIC CLUB, INC.
Revised February 2011 Adopted April 20, 2011**

ARTICLE I – NAME, OFFICE AND PURPOSE

Section 1. This organization shall be known as VJO.

Section 2. Offices. The Club shall have its principal office in the county of Solano, State of California. It may have such other offices, either within or without the County of Solano, State of California, as the board of Directors may determine or as the affairs of the Club may require from time to time.

Section 3. The purpose of VJO is as follows:

- a. To provide facilities, training, and encouragement for increased proficiency in competitive amateur aquatic sports among boys and girls residing within a reasonable commuting distance of the club.
- b. To further the interest and education of children and parents in competitive aquatic sports.
- c. To encourage and develop good sportsmanship, individual integrity and team play.
- d. The Club shall at all times maintain itself as an active member in good standing as prescribed by the Bylaws and regulations of Pacific Swimming and U.S. Swimming, Inc.
- e. To provide a wide base of experienced swimmers in order to contribute to the increased skills and knowledge needed at the high school, college and senior USA-S levels of swimming and pool sports.

Section 4. The properties and assets of the Club are irrevocably dedicated to its tax-exempt purposes. No part of the net earnings, properties or assets of the Swim Team, on dissolution or otherwise shall inure to the benefit of any private person or individual, or any member, Officer, or Director of the Swim Team. In the event of liquidation and dissolution, all properties and assets and obligations shall be distributed and paid over to an organization dedicated to the sport of competitive swimming, provided that the recipient organization is dedicated to the exempt purpose as specified in Internal Revenue Code, Section 501©(3). Notwithstanding any other provisions of these articles, the corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from Federal Income Tax under Section 501©(3) of the Internal Revenue Code of 1954.

ARTICLE II – MEMBERSHIP

Section 1. Definitions. Definitions of terms used in this Article and elsewhere in these Bylaws are as follows:

- a. **MEMBER:** A family group of individuals consisting of one or more swimmers and the swimmer's parent(s) or guardian(s).
- b. **SWIMMER:** A swimming member of the family group who is an athlete registered in U. S. Swimming, and engaged in competitive swimming or in the act of learning competitive swimming skills, participating attached to VJO.
- c. **REGULAR MEMBER:** The parent(s) or guardian(s), within the family group containing swimmers meeting requirements of "b", who is 18 years of age or older, or any member of the Swim Team's coaching staff who has signed a valid and enforceable coaching contract and during the period the contract is in force.

- d. **HONORARY MEMBER:** A person who is granted honorary membership by the Board can be any citizen of the community who, in the opinion of the Board, has rendered distinguished service to the Swim Team.
- e. Special classes of membership may be established by the Board of Directors, as it shall deem advisable.

Section 2. Membership in VJO may be gained by complying with the following:

- a. Completion of the application for membership forms.
- b. Applicant for membership must satisfactorily complete a swimming test under the standards established by the coach.
- c. Signed agreement by parents that they are aware of all obligations and responsibilities relative to fees. Fees shall consist of a registration fee, dues per swimmer, plus active participation in fundraising activities. Failure to contribute to these activities shall result in an added assessment to the family as determined by the Board.
- d. A part-time or non-member of the Club but who is a USA-S registered swimmer may work out with the Club for a monthly fee determined by the Board. The Board shall determine any additional rules regarding part-time or non-member swimmers.
- e. All competitive swimmers and divers must be registered with the Pacific Swimming, of the U. S. Swimming Organization. A card is issued annually; the price set by U. S. Swimming. U. S. Swimming applications by new members are made through the Membership Committee, as yearly membership renewals.

Section 3. Membership is maintained only as long as dues are paid in full, and members abide by the Bylaws and such rules and regulations as may be established by the Board of Directors and/or Head Coach.

Section 4. Attend a new member orientation.

Section 5. If solicited by a parent/guardian, the Board of Directors may allow a two-month Outreach Membership Scholarship to no more than two swimmers on the team at one time. Once a family realizes a financial need that would otherwise prevent their child from swimming, the parent/guardian must notify the Board immediately. According to the USA Swimming Outreach Manual. "Each LSC determines how they will qualify athletes for Outreach membership. They use national guidelines based on Federal Food Stamps, Free School Lunch and/or Federal Poverty Guidelines." Based on these guidelines, the board will review the family's case and allow or deny the request for the Outreach Membership scholarship.

ARTICLE III – OFFICERS AND BOARD OF DIRECTORS

Section 1. Indemnification. The Club shall indemnify and hold harmless any individual against the expense of any action, suit or proceedings in which they are made a part by reason of his/her being or having been a Director, Officer or duly authorized agent of the Club, except in relation as to matters to which they shall be adjudged in such action, suit or proceedings to be liable for gross negligence or willful misconduct in the performance of their duties. This right shall extend to all such persons, their successors, heirs and legal representatives.

Section 2. The officers of this Club shall be President, Vice-President/President-Elect, Secretary, and Treasurer. The immediate Past President shall act as an advisor to the Board of Directors, without vote.

Section 3. The Board of Directors will consist of the four elected officers of the Club and, in addition, will include the 5 (five) board members at large, who will be appointed by the President, and approved by the elected officers. These board positions will consist of:

- a. Meet Director
- b. Officials
- c. Communications
- d. Membership
- e. Redwood Empire Athletic League (REAL) Representative

The individual job descriptions are as follows:

- a. **Meet Director:** The person who holds this Board position shall be carded by Zone 3 as a Meet Director and be responsible for the following:
 - 1. Will organize and coordinate the jobs listed below:
 - Entries
 - Clerk of the Course
 - Programs
 - Hospitality
 - Snack Bar
 - Advertising and Publicity
 - Meet “Set-Up”
 - Marshals
 - Desk (Chairman)
 - Ribbons and Awards
 - 2. Appointment of any committee as needed to assist.
 - 3. Attend all Board meetings to function as a Board member in coordinating and assisting with the further advancement of VJO.
- b. **Officials:** The person who holds this Board position shall be carded a minimum of Level I with Zone 3 in an on-deck position and will be responsible for the following:
 - 1. Organizing and setting up a yearly “Officials Clinic” for the Club.
 - 2. Official “carding” for all club members so eligible.
 - 3. Preplan assignment for judges for all VJO club meets.
 - 4. Appointment of a committee to assist as necessary.
 - 5. Attend all Board meetings to function as a Board member in coordinating and assisting with the further advancement of VJO.
- c. **Communications:** The person who holds this Board position shall be responsible for the following:
 - 1. Organization of monthly newsletter, the “Shark”, which shall be distributed to all Club members.
 - 2. Posting of any pertinent information regarding upcoming Club meets or activities on the bulletin board at the pool.

3. Attend all Board meetings to function as a Board member in coordinating and assisting with the further advancement of VJO.

d. Membership: The person who holds this Board position shall be responsible for the following duties:

1. Collection of yearly membership fees and recording Pacific Swimming registration. He/she shall maintain a current paid membership roster.
2. Compilation and distribution of a Club membership list. Updated copies distributed to the Board members, monthly.
3. Distribution of VJO handbook to all members of the Club.
4. Supervise formation of a “welcome committee” which will be responsible for contacting all new Club members, to insure that they are knowledgeable in the activities of, and their responsibilities to the Club.
5. Advise Board of new members that need to attend new member orientation meeting.
6. Attend all Board meetings to function as a Board member in coordinating and assisting with the further advancement of VJO.
7. Organize yearly U. S. Swimming carding for all Club members.

e. REAL Representative: The person who holds this Board position shall be responsible for the following:

1. Attend monthly REAL meetings as a representative of VJO.
2. Attend all Board meetings to report on REAL activities and to function as a Board member in coordinating and assisting with the further advancement of VJO.

Section 4. Term of Office. Officers and members of the Board of Directors shall hold office for a term of one (1) year commencing October 1 and ending September 30 of the following calendar year. No Officer shall be eligible for the same office for more than two (2) consecutive terms. The Vice-President/President-Elect and Treasurer shall be elected for a term of two (2) years. The following year the Vice-President/President-Elect shall assume the office of the President. If the President-Elect is unable to assume the office of President, another member shall be elected following the provisions of Article VI, Section 3 and Section 4.

Section 5. Qualification. The Board of Directors requires the member to have been active in the Club for not less than six (6) months unless special approval is granted by the Board, allowing waiver of such qualification.

Section 6. Election. The General Membership will nominate a slate of Officers in the number required by Section 2 of this Article to be presented at the annual election meeting held in September.

Section 7. Authority. The Board of Directors shall manage the affairs of this non-profit corporation within the limits of the Bylaws. No other person may collect funds, make contracts, incur expenses, or initiate any actions in the name of this organization without prior approval of the Board of Directors.

- a. The Board of Directors may authorize any officer or agent to enter into any contract in the name and on behalf of VJO.
- b. The Board of Directors shall authorize payment of expenditures, create standing committees as are deemed necessary to carry on the work of the Vallejo Aquatic Club and, administer all matters pertaining to the employment of the head coach.

- c. The Board of Directors shall prepare the annual budget to be presented and approved by the General membership at the annual meeting.
- d. The Board of Directors shall determine the periodic fees and obligations necessary to the maintenance of a successful swimming program within a balanced financial plan except for monthly base fees which will be established pursuant to Article VII, Section 2.
- e. The Board of Directors may not incur indebtedness for any purpose in the name of the Club without prior approval of the general membership, at a general membership meeting.
- f. The Board may authorize each year an audit of the financial records and authorized payments of expenditures. A majority of a quorum of the general membership (50% of those present members in good standing) at any regular or special membership meeting may require an audit of these same records and payments of expenditures.

Section 8. Vacancies. When any Officer or Director fails to adequately perform the duties of his/her office or fails to attend three (3) consecutive meetings of the Board, without an adequate excuse, the Board of Directors may declare his office vacant. In the event the office of President becomes vacant; the Vice-President/President-Elect shall assume that office. Other office vacancies and vacancies on the Board shall be filled by appointment by the President with approval of the remaining Directors, and the new Officer and or Director shall serve until the next annual election.

Section 9. Successor. Each Officer and Director, upon the expiration of his/her term of office, or in the case of resignation, shall turn over to his successor, without delay, all reports, books, funds and other material pertaining to his office.

Section 10. Five (5) members of the Board of Directors will constitute a quorum.

ARTICLE IV – DUTIES OF OFFICERS

Section 1. President. The President shall preside at all membership meetings and meetings of the Board of Directors. He/she shall appoint all standing and special committees, and shall be an ex-officio member of those committees, with the right to vote. The President will approve all official documents, call special meetings when necessary and certify all acts of the Board in conjunction with the Secretary.

Section 2. Vice-President/President-Elect. The Vice-President/President-Elect shall act as aide to the President and, in the absence of the President, shall perform the duties of the President. He/she shall also perform other duties, as may be assigned by the President or the Board of Directors.

Section 3. Secretary. The Secretary shall record minutes of all membership meetings and meetings of the Board of Directors. He/she shall conduct Club correspondence, except when assigned to committee chairman, and maintain records of all correspondence. He/she shall also issue notice of meetings, certify all acts of the Board in conjunction with the President, and conduct other duties as may be assigned by the President or Board of Directors.

Section 4. Treasurer. *The position of Treasurer may be compensated by waiver of total monthly dues.* The Treasurer shall have custody of and be responsible for all funds in whatever place of deposit as designated by the Board of Directors. He/she shall make disbursements as approved by the Board of Directors. The Treasurer and one other Officer will sign all disbursements. He/she shall be responsible for the submission of financial statements to the members and the Board of Directors when requested by the President, and for filing tax reports, as required. The club records shall be subject to an annual audit. He/she shall be responsible for issuing timely billings to the membership and for collecting and depositing all fees and monies due the Club.

Section 5. Members of the Board of Directors. Members of the Board of Directors are expected to actively participate in their respective jobs, whether it is an Officer or committee chairman. See Article III, Section 3 and Section 7 for additional explanation.

ARTICLE V –HEAD COACH(ES)

Section 1. The Head Coach shall be responsible to the Board of Directors for providing a competitive aquatic program in line with the objectives and purposes of the organization. He/she will select assistant coaches, with approval of the Board, and supervise their activities as related to the club. He/she is responsible for adhering to the “Head Coach’s” Duties as follows:

a. Assistant Coaches:

1. Recommend hiring, firing and compensation for assistant coaches to the Board
2. Assign assistant coaches their duties, which groups they will coach, what meets they are responsible to attend.
3. Supervise assistant coaches in the performance of their duties.
4. Handling problems, including complaints, concerning assistant coaches.
5. Develop continuing education programs for assistant coaches.

b. Swim Meets:

1. Submit a definite meet schedule as soon as meet dates are available.
2. Be responsible for acquiring meet sheets in a timely manner for distribution to the club.
3. Oversee the preparation of the team entries for all winter and summer league meets.
4. See that coach or coaches will attend all team-scheduled meets.
5. Make all travel arrangements as required for scheduled travel meets.

c. Swimmers Conduct:

1. Development of rules concerning any U.S.A-S function.

d. Workouts:

1. Prepare time schedules of workouts and see that all swimmers are notified.
2. Oversee the coaching of all groups. Directly coach a minimum of one group.
3. Provide replacement coverage should he/she or any assistant coach be unable to coach a group due to illness/vacation, safety permitting.
4. Supervise the behavior of swimmers while at practice.
5. Report to the President or Board, any case of serious misconduct; especially those cases of misconduct, which the Coach feels, should result in the suspension of a swimmer from the team.
6. The Head Coach, or his duly appointed representatives, shall make all reasonable efforts to remain at the pool complex after scheduled practices until all swimmers less than 13 years of age have left the pool complex or are under the supervision of an adult known to the Head Coach.

e. Meetings:

1. Attend Board meetings and make monthly report.
2. Upon request of the Board or President, attend meetings relating to the further advancement of VJO; i.e., GVRD, Pacific Swimming, REAL, or Zone 3.

f. Fundraising Responsibilities:

1. Work with appropriate committees to provide input and assistance in fundraising endeavors.
2. Be available to participate within the community, in activities that would benefit the advancement of VJO.

g. Communications with Parents:

1. Keep parents informed of meets, workout schedules and general information.

2. Be available, on an appointment basis, to talk to parents before or after workouts.
3. Notify parents of new swimmers when they are qualified to compete in meets.

h. Miscellaneous

1. Recommend awards program to the Board.
2. Will assist membership committee with all membership drives and/or recruitment programs.
3. The Head Coach will not perform any service or be involved in an activity which would be in conflict with his/her duties for VJO; excepting when such activity is in the course of their normal job of their secondary or primary employment, without the prior approval of the Board.
4. Work with Budget Committee on overall team budget and provide figures for coaching expenses.
5. Liaison between Club and pool facilities staff and GVRD.
6. Submit news articles to local newspaper and establish and maintain relationship with Sports Editor.
7. Maintain scheduled office hours.
8. Contact Board President regularly.
9. Attend all team functions.
10. Assist swimmers with college selection, letters, etc.
11. In case of a swim meet conflict, the Head Coach shall attend the highest level of competition.
12. Facilitates individual goal setting process with all athletes under direct supervision of Head Coach.
13. Maintains attendance records.
14. Facilitates a parent education program.
15. Maintain ASCA membership and work towards the next level.

i. Salary

1. The salary of all coaches, including sick leave and vacation, will be set upon mutual agreement between the Board and the affected coach.

ARTICLE VI – MEETINGS

Section 1. The Board of Directors meetings shall be held monthly with the time and place to be set by the Board of Directors. A monthly meeting may be cancelled, if not required; and special meetings may be called, when necessary, by the President or, in his/her absence, the Vice- President/President-Elect or by a majority of the Board of Directors. Members wishing to address the Board must call or write the President in order to be placed on the agenda. All Board meetings will be open to attendance by the General Membership. General members are only eligible to vote at General Membership meetings. Special General Membership meetings may be called at the request of ten (10) members of the Club provided they are in good standing.

Section 2. Regular meetings of the General Membership shall be held no less than twice a year, unless otherwise designated by the Board or General Membership.

Section 3. Written notice of general membership meetings, whether annual or special, will be mailed or delivered to the membership indicating purpose, time and place at least seven (7) days prior to the meeting. A quorum for all membership meetings shall be a minimum of 20 members in good standing.

Section 4. Voting. All families in good standing as listed on the Treasurer’s current membership roster will be eligible for one vote. A majority of the votes cast will decide the issue.

Section 5. Conduct of meeting will be under the direction of the President or, in his/her absence the Vice-President/President-Elect. The Secretary will keep complete minutes, and all meetings of this organization will be under the general guidelines of Robert’s Rules of Order.

ARTICLE VII – MEMBERSHIP FEES

Section 1. Registration Fee. A non-refundable registration fee, as determined by the General Membership, shall be paid each year on July 1st by members as defined in Article II, Section 1(a). New members will pay this

fee the month following registration; if less than three (3) months remain in the current fiscal year, their registration fee will be inclusive of the upcoming year's responsibility.

Section 2. Monthly Fee. Fees as approved by the General Membership, will be paid on or before the 10th of the month unless otherwise authorized by a vote of the Board. All members pay monthly dues to remain members in good standing, even though a swimmer may have to miss several days of practice.

The General Membership will establish a schedule of dues and/or fees to include all classes of membership and, consistent with operating requirements, will make appropriate changes. Dues are payable twelve (12) months of the year. VJO may recognize a special dues structure for collegiate swimmers.

Section 3. Members delinquent in dues will be notified by the Treasurer and given fifteen (15) days to respond prior to submitting their names to the Board of Directors for action. Members must remain in good standing to be eligible to swim or vote.

Section 4. Resignation. Members must notify the Treasurer and/or Membership Chair in writing stating date of resignation. The member will be responsible and billed for dues until the Treasurer is so notified. To rejoin, the registration fee must, again, be paid.

Section 5. Inactive Membership. Members wishing to temporarily suspend monthly dues must make a request in writing to the Treasurer and/or Membership Chair stating the beginning and ending dates of inactivity, prior to the start of the requested inactivity. Members will be responsible for monthly dues until written notification is submitted. No suspension of dues shall be granted for a period of less than one month. In order to hold each swimmer's place on the team roster, a fee of \$10.00 a month per family must be paid.

Section 6. Participation in all Fundraising activities including swim-a-thon, auction, script and restaurant give back.

- a. Participation can include one or all of the 3 "Ts"
 1. Time – Coordinate fundraising activities, collect donations, etc.
 2. Treasures – Company match programs, and monetary, etc.
 3. Talent – Developing new sources of fundraising, and organization, etc.

ARTICLE VIII – PROPERTY

Section 1. Responsibility for the acquisition, management and care of all Club equipment shall be vested in the Head Coach, under the immediate supervision of the Vice-President/President-Elect, who shall keep a current, audited inventory list. Copies shall be given to each Board Member.

ARTICLE IX – AMENDMENTS TO THE BYLAWS

Section 1. The Board of Directors or the General Membership may propose amendments to the Bylaws. A request for amendments to the constitution by the membership must be submitted to the Board in writing, accompanied by a petition signed by a minimum of ten (10) active members in good standing as determined by the Bylaws.

Section 2. Voting on Amendments. Amendments to the Bylaws shall be made by a two-thirds majority, per Article VI, Section 4, of those present casting an affirmative vote at a General Membership meeting. A written notice containing a copy of any proposed amendments must be given to the member's seven (7) days prior to such meeting. Amendments, if adopted, become effective immediately.

Appendix A

Vallejo Aquatic Club Head Coach Rules and Responsibilities

The Head Coach has duties and responsibilities to organize, implement, manage and direct the Vallejo Aquatic Club programs. In this capacity, the Head Coach is responsible for program operations and reports to the President of the Board of Directors and is responsible to the Board of Directors.

The attached document titled "Duties and Responsibilities" is a more detail list of said areas of responsibilities for the Head Coach. Note that the list is not inclusive and may be updated from time to time.

The Head Coach is expected to always present Vallejo Aquatic Club in the highest moral and ethical manner in both professional and personal areas.

The Head Coach shall not have the authority to contractually bind the Club as a party or principal to any agreements without the written consent of the Board of Directors.

DUTIES AND RESPONSIBILITIES

1. Develop and maintain overall club focus and direction.
2. Lead and develop continuing education programs for the other coaches.
3. Coach assigned swim group(s) and assist other coaches as necessary.
4. Attend all monthly VJO Board Meetings and provide Coaches report
5. Work with Budget Committee on overall team budget and provide figures for coaching expenses.
6. Assist Club with Fundraising.
7. Develop and distribute annual planning calendar of events, including meets, and coaches meetings.
8. Liaison between Club and pool facility staff and GVRD.
9. Make all travel arrangements as required for schedule travel meets.
10. Submit news articles to local newspaper and establish and maintain relationship with Sports Editor.
11. Maintain scheduled office hours.
12. Contact and meet with the Board President on a regular basis.
13. Attend all team functions.
14. Assist swimmers with college selection, letters, etc.
15. In case of a swim meet conflict, the Head Coach will attend the highest level of competition.
16. Sees that all team meets are covered.
17. Facilitates individual goal setting process with all swimmers aged 13 and older.
18. Facilitates a parent education program.
19. Handles or oversees disbursement of Meet Sheet.
20. Maintains ASCA membership and work towards the next level.
21. Attend all Zone 3 meetings.
22. Implement a regular land based training program during scheduled practice for all age groups and level.
23. Develop training schedules, group criteria and any other areas of concern deemed important by the Coach and Board of Directors.
24. Maintain constant supervision of swimmers while in the water (in accordance with USA Swim Regulations). This would include having constant visual contact with swimmers while in the water. If a need arises that a coach must leave the "deck", one of the other qualified coaches must be made aware and agree to accept the responsibility of the swimmers while in the water.