

**CONSTITUTION and BY-LAWS
of the
VALLEJO AQUATIC CLUB, INC.**

ARTICLE I - NAME, OFFICE AND PURPOSE

Section 1. This organization shall be known as the 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 By-laws 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 USS levels of swimming and pool sports.

Section 4. The properties and assets of this Corporation 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(c) (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 (c) 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.

Exceptions: High school swimmer Transferee

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.

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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 Association but who is a USS registered swimmer may work out with the Club for a monthly fee determined by the Board. Any additional rules regarding part-time or non-member swimmers shall be determined by the Board.
- 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 is made through the Membership Committee, as are yearly membership renewals.

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

ARTICLE III - OFFICERS AND BOARD OF DIRECTORS

Section 1. The officers of this club shall be President, Vice-President, Secretary, and Treasurer. The immediate Past President shall act as an advisor to the Board and Directors, without vote.

Section 2. The Board of Directors will consist of the four elected officers of the club and, in addition, will include the 8 board members at large, who will be appointed by the President, and approved by the elected officers. These board positions will consist of:

- a. Ways & Means
- b. Meet Director
- c. Officials
- d. Publicity & Advertising
- e. Communications
- f. Membership
- g. Redwood Empire Athletic League (REAL) Rep
- h. Team Records/Awards

The individual job descriptions are as follows:

a. Ways & Means: The person who holds this Board position shall be responsible for the following duties:

1. Chairing fund raising events for the club.
2. Organization of all social functions (including awards banquet).
3. Appointment of any committee as needed for assist.
4. Attend all board meetings to function as a Board member in coordinating and assisting with the further advancement of VJO.

b. 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:

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Entries (appoints chairperson)
Clerk of the Course
Programs
Hospitality
Snack Bar
Advertising and Publicity
Meet "Set Up"
Marshals
Desk (chairman)
Ribbons & Awards in conjunction with Awards Chairman

2. Appointment of any committee as needed for assist.
3. Attend all Board meetings to function as a Board member in coordinating and assisting with the further advancement of VJO.

c. Officials: The person who holds this Board position shall be carded at a Level II with Zone3 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 assignments for timers and 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.

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

1. Coordination of the club's "Meet Program," which shall include solicited advertising and sponsorships.
2. Initiate "Thank you" correspondence to all paid advertisers.
3. Appointment of a committee to assist as necessary.
4. Ensure that all club meet results, and any other pertinent club information be promptly distributed to all proper media sources.
5. The organizing of a yearly team photograph, which shall include individual pictures, and be made available to the general membership for purchasing.
6. Attend all Board meetings to function as a Board member in coordinating and assisting with the further advancement of VJO.

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

1. Organization of bi-monthly news letter, 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. Supervise organization of the "telephone committee."

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

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

1. Collection of yearly membership fees, recording Pacific Swimming registration, and record of monthly dues. He/she shall maintain a current paid membership roster, and shall inform the Board of Directors when any member's dues become two months delinquent.
2. Compilation and distribution of a club membership list. Updated copies distributed to the Board members, monthly.
3. Distribution of VJO handbook to all member 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. Organize meetings, as necessary, for all new members to explain and/or direct through their first competitive swim meet.
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.

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

1. Attend monthly REAL meetings as 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.

h. Team Records/Awards: The person who holds this Board position shall be responsible for the following:

1. Keep updated recording of team records and time standards achieved.
2. Purchase and distribute motivational and achievement awards, including the purchase of "Awards Banquet" awards and meet awards in conjunction with the Meet Director.
3. Compile all information for "awards m.~ht" yearbook and format.
4. Attend all Board meetings to function as a Board member in coordinating and assisting with the further advancement of VJO.

Section 3. Term of office. Officers and members of the Board of Directors shall hold office for a term of one 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 consecutive years.

Section 4. Qualification for the Board of Directors requires the member to have been active in the club for not less than six months unless special approval is granted by the Board, allowing waiver of such qualification.

Section 5. Election. The General Membership will nominate a slate of officers in the number required by Section 1 of this article to be presented at the annual election meeting held in September.

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Section 6. Authority. The affairs of this non-profit corporation shall be managed by the Board of Directors within the limits of the constitution. No other persons 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 7, 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 at any regular or special membership meeting may require an audit of these same records and payments of expenditures.
- g. The Board of Directors may offer financial incentives/support to any year around age group swimmer who wishes to participate in an aquatic program not available through VJO, but which meets the goals of VJO as set forth in the bylaws. Participants wishing support must make a formal presentation and request to the Board at a regularly scheduled meeting. The Board will render a decision at the next regularly scheduled meeting.

Section 7: Vacancies.

When any officer or director fails to adequately perform the duties of his office or fails to attend three 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 shall assume that office. Other office vacancies and vacancies on the Board shall be filled by appointment by the President with the approval of the remaining directors, and the new officer and or directors shall serve until the next annual election.

Section 8. Successor. Each Officer and Director, upon the expiration of his 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 9. Seven 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. The Vice-President 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

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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 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. All disbursements will be signed by the Treasurer and one other officer. 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. H/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 as an officer or committee chairman. See Sections 2 and 6 of Article III for additional explanation.

ARTICLE V - DUTIES OF THE HEAD COACH

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. Report assistant coaches working hours to treasurer.

b. Swim Meets:

1. Submit a definite meet schedule as soon as meet dates are available. Schedule must include at least twelve meets: two of which are to be A+ meets; two of which must be B meets; and the remaining meets to be a varied cross-section of meets available for the year (not to include the dual meets).
2. Provide meet sheets for all meets.
3. Oversee the preparation of team entries for all winter and summer league meets.
4. See that coach or coaches will attend all team-scheduled meets.

c. Swimmers Conduct:

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

d. Workouts:

1. Prepare time schedules of workouts and see that all swimmers are notified.
2. Prepare appropriate (dry land) workout in the event that the pool is unavailable, as deemed appropriate.
3. Oversee the coaching of all groups.
4. Provide replacement coverage should he/she or any assistant coach be unable to coach a group due to illness/vacation, safety permitting.
5. Supervise the behavior of swimmers while at practice.
6. 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.
7. 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 a monthly report.
2. Upon request of Board or President, attend meetings relating to the further advancement of VJO; i.e., G.V.R.D., Pacific Swimming, REAL or Zone III.

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f. Fundraising Responsibilities:

1. Work with appropriate committees on a Corporate and/or Service Club Out-Reach Program.
2. Work with the Ways and Means Committee to provide input and assistance in fundraising endeavors.
3. 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. Coaches will not perform any service or be involved in any activity which would be in conflict with their duties for VJO; excepting when such activity is in the course of their normal job of their secondary or primary employment, without prior approval of the Board.

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 absence, the Vice-President or by a majority of the Board of Directors. Members wishing to appear before 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 members of the club provided they are in good standing.

Section 2. Regular meetings of the General Membership shall be held no less than one in April and one in September, 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. The quorum for all membership meetings shall be those members present.

Section 4. Voting. Adult members in good standing as listed on the Treasurers current membership roster will be eligible to 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 absence, the Vice-President. Complete minutes will be kept by the Secretary, 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 at the start of the fall swimming season (October 1st) by members as defined in Article II, Section I-a. New members will pay this fee the month following registration; if less than three (3) months remain in the current fiscal year (July 1st), their registration fee will be inclusive of the upcoming year's responsibility.

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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 the 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 high school and collegiate swimmers.

Section 3. Member's delinquent in dues will be notified by the Treasurer and given fifteen 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 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 asking Board approval to temporarily suspend monthly dues must make a request in writing to the Board of Directors, 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.

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, who shall keep a current, audited inventory list. Copies shall be given to each Board Member.

ARTICLE IX-- AMENDMENTS TO THE CONSTITUTION

Section 1. Amendments to the Constitution may be proposed by the Board of Directors or the General Membership. 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 active members in good standing as determined by the by-laws.

Section 2. Voting on Amendments. Amendments to the Constitution shall be made by a two-thirds majority, per Article 6, 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 7 days prior to such meeting. Amendments, if adopted, become effective immediately.