

# **THE BYLAWS OF THE CEDAR PARK TYPHOONS SWIM CLUB**

## ***Section 1: Admission to Club Membership***

Membership in the Cedar Park Typhoons Swim Club (hereinafter referred to as the Club) shall be open to residents of Cedar Park and surrounding community whose families include one or more children deemed to have met such standards of swimming proficiency as the Executive Board, (hereinafter referred to as the Board) may establish.

Application for membership shall be made upon forms prescribed by the Board. Completion and submission of such a form to the Club shall constitute an agreement by the applicant family to abide by the Club Constitution and By-laws, and to the code of conduct for swimmers and parents as stated in Section 3, should the application be approved.

Upon acceptance to membership, families shall be deemed to hold full privileges thereof.

## ***Section 2: Maintenance of Membership in Good Standing***

Membership in good standing shall be maintained by adherence to the Club Constitution and By-laws, and the standards of the conduct for swimmers, and by timely payment of all Club dues and fees and of charges for special goods and services requested by the member.

Upon having made a determination that a member has failed to maintain good standing, the Board may suspend or terminate their membership, in which case no refunds of Club dues or fees shall be made. Refunds of other monies received by the Club for special goods or services not yet delivered shall be at the discretion of the Board.

## ***Section 3: Maintenance of Conduct and Discipline by Swimmers***

Swimmers and parents must adhere to the code of conduct as outlined by Appendix I to the constitution. Without prior approval of the Board, the Head Coach may suspend a swimmer from participation in any or all team activities for a period not to exceed one week, or suspend or prohibit a swimmer from participation in one or more team meets, for flagrant or persistent refusal to comply with such proper and appropriate rules of conduct as the Head Coach may establish. The Head Coach may also recommend to the Board that the participation of a swimmer be otherwise suspended or terminated.

Actions taken under the terms of the Section may be appealed to the Board for final decision. Appeals are to be submitted in writing to the Board.

## **The Constitution of the Cedar Park Typhoons Swim Club**

### **ARTICLE I: STATEMENT OF PURPOSE**

The Cedar Park Typhoons Swim Club shall exist for the benefit of the children of Cedar Park and the surrounding community.

The Club shall, as circumstances permit, maintain a summer program of competitive swimming which shall be designed to allow the participating children to learn how best to seek the

personal rewards offered by participation in the sport: challenge themselves, measure the growth of their strength and skills, to know the satisfactions of accomplishment without having been subjected to destructive pressures, to belong to a team, and to enjoy the experience of competitive swimming.

The team is formed exclusively for community and educational athletic activities within the meaning of section 501(c)(3) of the Internal Revenue Code of 1954, as amended.

## **ARTICLE II: THE EXECUTIVE BOARD**

### **A. Vesting of Power**

Executive power shall be vested in an Executive Board, which shall consist of the following elected officers: a President, a Vice-President/Circuit Rep, a Secretary, a Treasurer, and eight chair holders for Equipment, Concessions, Merchandise, Sponsorships, Volunteer Coordinator, Webmaster, Meet Director & Computer Rep.

Additionally, the Head Coach shall serve as a member by virtue of his or her position (see Article II. Q).

The Board shall meet at least once every month during the months of April through July and at least once every two months during the remainder of the year.

The presence of six or more members at a meeting of the Board shall constitute a quorum. Motions before the Board shall be deemed to have passed upon having received a majority of the ballots of those present and voting. In the event of a tie vote, the highest-ranking board member can add an additional vote.

### **B. Powers and Duties of the Board**

The Board shall see to the performance of all duties necessary for the survival, competent administration, and continued improvement of the swim program, in accordance with Article I. It shall possess all powers necessary thereto, including but not limited to: the power to raise and expend funds for Club purposes, the power to commit the Club to binding agreements, the power to hire and dismiss coaches, and the power to plan Club programs and to delegate specific authority as required for the running of those programs.

General revenue measures, such as registration fees, designed to meet recurring expenses, may be established and their amounts set by majority vote of the members of the Club in the general meeting assembled. The Board shall have the power to vote modest increases in such fees, so long as said increases in the total fees do not exceed twenty percent in any twelve-month period. The Board shall have the power to establish fees to be paid by the participants in special team activities to cover the costs of such activities.

The Board shall not carry on any activities, which jeopardize the Federal income tax exemption of the organization pursuant to section 501(c)(3) of the Internal Revenue Code of 1954, as amended.

Upon dissolution of the Club, the Board shall, after paying or making provision for all the liabilities of the Club, dispose of all assets of the Club exclusively for the purposes of the Club in such manner, or to such organization or organizations organized and operated exclusively for

community or educational purposes as shall at the time qualify as an exempt organization or exempt organizations under section 501(c)(3) of the Internal Revenue Code of 1954, as amended, (or the corresponding provision of any future United States Internal Revenue Law) as the Board may determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of Williamson County exclusively for such purposes or to such organizations, as said Court shall determine, which are organized and operated exclusively for such purpose.

#### C. Qualifications for Board Membership

All Board members, excepting the Head Coach, shall be members of the Club in good standing and shall have attained the age of twenty-one years upon assuming office. Nomination to the position of President requires service of a minimum of two years in a voting role. The board can vote to waive this requirement.

Two persons may jointly occupy an office on the Board, in which case, one vote will be allowed for the jointly occupied position. If both parties cannot agree, they forfeit their vote.

#### D. Term of Office

Officers shall serve a term of two years, to begin on the first day of September following their election. A member may be elected to serve in the same official capacity for no more than two years consecutively unless the Board votes to allow for a third year. No member will serve in the same position more than three years consecutively. If a position cannot be filled by a general membership vote, after a deadline has passed, the Board can vote to allow a member to continue to serve in the same capacity past the three year term. Any board member cannot hold multiple board positions during any given term.

#### E. The President

The President shall attend to the following special duties, and shall possess such special powers as are required for their performance:

1. To call meetings of the Board, setting the date, place, and time, and establishing the agenda: to preside fairly over the meetings in accordance with such formal or informal rules of procedure as may be in effect;
2. To make appointments, subject to the consent of the Board, to such committees or subcommittees or other offices as the Board may, from time to time, establish;
3. To represent the Board and the team in an official capacity, publicly and in negotiations with the City of Cedar Park and with any swimming league the Club may join or seek to join, and with other organizations and individuals;
4. To perform such tasks as may be required for the maintenance and well being of the Board or of the team as a whole;
5. To call the annual general meeting of the Club members for the purpose of electing new Board members and conducting such Club business as circumstances may warrant, or other general meetings of the Club, setting the date, place, and time, establishing the agenda, and presiding.
6. Create and maintain Board position descriptions approved at least annually by the Board.
7. This position also leads the Registration committee every year, preparing the plan for marketing to the Cedar Park area on an annual basis.
8. The President should have served a minimum of one season as a board member on the Cedar Park Typhoons.

#### F. The Treasurer

The Treasurer shall receive, account for, and expend the Club funds in accordance with the decisions and established procedures of the Board; shall prepare and file such official financial documents as may be required by law, or may be required to obtain exemption from taxes; shall provide the Board and all governmental entities with such financial information and reports as they may from time to time require.

#### G. The Secretary

The Secretary shall maintain all official Club records; shall record the proceedings of the Board and of the Club in general meetings assembled; shall perform other duties as the Club may require. The Secretary shall be up to date on the current Bylaws and Code of Conduct by also acting as the team Parliamentarian. The Secretary shall assist all other positions as needed.

#### H. The First Vice-President & Circuit Rep

The First Vice-President & Circuit Rep shall coordinate administrative preparations for the participation of the Club swimming team in competition, insuring that the express desires of the Board and the obligations of the Club under the terms of agreement which may be in effect, with a competing club or a swimming league, are fully met, including but not limited to the provision of trained meet officials. The Circuit Rep shall be responsible for all communications and meeting between the Club and Northwest Swim Circuit and for ensuring that all official training is done with regards to the requirements of the circuit. In the absence of the President, he or she shall perform the duties of the President.

#### I. Sponsorship Chair & Event Coordinator

The Sponsorship Chair shall initiate, organize, and administer such fund-raising activities as may be approved by the Board. This position shall be responsible for seeking, procuring, and maintaining relationships with sponsors. Plans season events which may include pep-rallies, End of Season Banquet, etc.

#### J. Merchandise Chair

The Merchandise Chair shall be responsible for merchandising. Responsibilities shall include managing relationships with vendors, procuring merchandise for sale, preparing website for pre-sales prior to registration, managing merchandise sales at meets, and preparing options for team suits when required.

#### K. Concessions

The Concessions Chair shall be responsible for managing the concession stand, including procuring supplies, preparing the menu, pricing, and suggesting changes that may improve the performance of the concession stand.

#### L. Equipment Manager

The Equipment Manager shall manage and coordinate equipment and supplies, including procuring transportation for equipment to and from meets, leading the set up and tear down crews, and shall perform other duties as the Club may require.

#### M. Volunteer Coordinator

The Volunteer Coordinator shall manage the volunteer duties of all registered members of the team, ensuring that all necessary volunteer positions are filled at each meet. The Volunteer

Coordinator is additionally responsible for preparing the family boxes at the beginning of the season, as well as prior to each meet. This position shall create lanyards for each volunteer position prior to the first meet.

#### N. Webmaster & Communications Chair

The Webmaster & Communications Chair shall be responsible for management of website operations relative to upkeep and online registration. Manage account questions, maintain admin access permissions and removal, manage the Board Gmail subdomain, and respond to all inquiries to notifications@cedarparktyphoons.org. The Webmaster & Communications Chair will send communication to parents through email and social media. During the swim season, the Webmaster & Communications Chair should work closely with Computer Rep to set up meets in Swimtopia, open and close meet entries, and verify that each swimmer has 3 individual events for Computer Rep. After each meet he or she will update the members with results through email and upload all results to the Swimtopia site.

#### O. Meet Director

The Meet Director is the organizer and coordinator of all meet activities. As such, he or she has full responsibility for all personnel engaged to run the meet. Knows and understands all USA swim rules, stroke judging, timing and starter responsibilities. Any and all disputes should be brought to the attention of the Home Meet Director. The Home Meet Director has final say in all Home Meet decisions.

#### P. Computer Rep

Work with the circuit computer representative when needed to address any changes as needed to the meet templates prior to and during the season. Once event registration is complete for the meet, generate the relays and notify the meet director and head coach that they are ready for review. Once reviewed, work with the other team/teams to generate the meet and any needed pre-meet documents. During the meet, in charge of time entries, entering DQs, any needed reports and labels. Post meet send the results to webmaster and printout time improvements and participation labels.

#### Q. The Head Coach

The Head Coach shall be solely responsible for the training and coaching of the team. He or she shall be primarily responsible for maintaining proper conduct and discipline on the team at all times.

The Head Coach shall represent the views of the coaching staff on all matters before the Board, except that the Head Coach shall have no vote. This position may be excluded from discussions and decisions on matters concerning the acceptance, terms, or termination of his or her own contract of employment, or of his or her appraisal of performance of the duties under said contract, at the pleasure of one or more other members of the Board. This position is a non-voting position and the Head Coach cannot occupy any other board position.

#### R. Other Committee Members

The Board may create and abolish other board positions, committees, and subcommittees to serve the purposes of the Club. The president with the consent of the Board shall make appointments to such offices or chairs. Occupants of said offices or chair positions should serve in their capacities and may attend Board meetings at the pleasure of the president, but shall not be deemed voting members of the Board by virtue of their offices or chair positions unless

specifically voted on and approved by the Board. If necessary, an electronic vote can take place between meetings.

#### S. Filling Vacancies on the Board

In the event of the resignation, death, serious incapacitation, illness or injury, removal from office, or unduly prolonged absence from duty of a member of the Board, a vacancy of the office of the member may be declared by a majority vote of the remaining members of the Board. Such a vacancy may be filled on an interim basis by a person Constitutionally qualified to hold that office by a majority vote of the remaining members of the Board. An election to fill the office shall then be held at the next general meeting of the Club membership

#### T. Removal from Office of Board Members

Any member of the Board formally charged by another member of the Board, or by petition of one-fifth or more of the member families of the Club, with having failed to uphold and defend the Constitution of the Club, or having failed to faithfully execute the responsibilities of his office, or having conducted himself in a manner unbecoming to a member of the Board, may be removed from office by the vote of two-thirds of the remaining members of the Board. The person so charged shall have a right to proceeding of the Board to be held prior to the vote of removal, to be chaired by a person other than a member bringing the charge; shall have a right to due notice of the proceeding and of the specific charge or charges against him or her, the right to be present at the proceeding, and a right to present a defense.

#### U. Board Discount

The Board may approve an annual membership discount not to exceed the standard membership fees minus fixed cost such as insurance. The discount must be dependent on financial goals, which maintain the solvency of the team. The Board reserves the right to allow for a discount and/or scholarship on an as needed basis.

### **ARTICLE III: CLUB ELECTIONS**

#### A. General Procedure

A general meeting of the Club membership shall be held annually, during the period following the conclusion of the summer competitive swimming season and before the last day of August . For all matters to be decided at the general meeting, only families who are members of the Club in good standing may cast votes, and only one member of each family may cast a ballot on any given vote. In the event that no candidate in an election or Club office receives more than fifty percent of the votes cast, a runoff election shall be held between the two candidates receiving the greatest number of votes.

#### B. Order of Precedence for Elections

Votes on proposed Constitutional amendments shall be held first, followed by votes on proposed changes to the Bylaws, followed by elections of officers with the election for President first, followed by elections for Treasurer, Secretary, First Vice-President, and in succession.

#### C. Nominations and Elections for Executive Board Offices

Prior to the annual elections, the President shall chair a Nomination Committee to consist of the President and two other persons appointed by the President. The Committee shall contact all prospective nominees and confirm their willingness to serve if elected. The nominations of the Committee shall be announced to the Club at the time of the announcement of the annual general meeting. At the general meeting, nominations for persons not constitutionally qualified

to hold office shall be withdrawn. Members of the Board shall be elected by majority of those present and voting at the general meeting of the Club membership.

#### **ARTICLE IV – COACHES & COACHING STAFF**

Each year the Board will recommend and hire a Head Swim Coach to train and handle the day to day functions of the Swim Program under the supervision of the Cedar Park Typhoons President and the Board. No Head Coach will be offered a term of more than 1 year and must reapply every year for the role.

Any number of assistant coaches will be recommended by the Coaching Staff Selection Committee each year and approved by the Board.

A Coaching Staff Selection Committee should be assembled in October or November of each year after the new board begins its term of office. The committee should be active all year.

The Coaching Staff Selection Committee chairperson should be a member of the Board. The other members of the committee are not required to be board members, but it is preferable if a majority of members are also board members.

The committee's duties include recruiting, interviewing, and making recommendations to the board to hire/fire/retain candidates. Duties also include monitoring the coaching staff's performance.

#### **ARTICLE V – PARENT EVALUATION/SUGGESTIONS/GRIEVANCES**

Parent Evaluations may be handled via meetings or surveys. Results raised at meetings or results of surveys will be reviewed at the next scheduled board meeting. The board will determine any necessary actions.

Any suggestions and/or grievances of members concerning the activities of the Typhoons must be filed in writing with the Swim Team President and/or Meet Director for consideration by the board. Under no circumstances should parents of members take grievances to the coaching staff.

When an allegation is made between parents or team members, one that would be a violation of the code of conduct, an opportunity to have a meeting where witnesses and accusers can come before each other in the presence of the board.

#### **ARTICLE VI: BY-LAWS**

The Club may, from time to time, adopt By-laws, and may subsequently amend or abolish them. No By-law or amendment thereto, found by the President to be in conflict with one or more provisions of the Club Constitution shall have effect.

Additions, deletions, or amendments to the By-laws shall be by vote of the majority of those present and voting at a general meeting of the Club.

#### **ARTICLE VII: RATIFICATION**

This Constitution shall be ratified and shall take effect immediately upon having received a majority of votes of those present and voting at a general meeting of parents, swimmers and

other parties actively involved with Cedar Park Typhoons Swim Club as it now exists, and upon having been signed by the officers elected at said meeting under the terms of this Constitution.

#### **ARTICLE VIII: AMENDMENTS**

Proposed Amendments to this Constitution shall be adopted upon having received the votes of at least three-quarters of those present and voting at a general meeting of the Club.

#### **APPENDIX I:**

NWSC CODE OF CONDUCT

#### **APPENDIX II:**

CEDAR PARK TYPHOONS STANDARDS OF CONDUCT

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