

Sea Lion Swim Team

(Herein referred to as SLST)

P.O. Box 42

Hummelstown, PA 17036

Article I. Mission Statement

The purpose of the Sea Lion Swim Team (SLST) is to establish, organize, and operate a competitive age group swim team in the community which will promote character development, good sportsmanship, healthy competition, teamwork and team spirit, and good values in the swimmers.

Article II. Governing Rules

Governing Rules shall consist of both By-Laws and Operating Procedures, including the SLST Parent/Swimmer Handbook.

Section 2.01 By-Laws

The By-Laws are established for purpose of operating the SLST in an open, fair, and straightforward manner. They are published so that all parties may understand and adhere to a common set of principles.

- a. Purpose
 - i. Establish areas governed
 - ii. Provide framework, basic purpose, and ground rules

- b. Team Organization (See Article III)

- c. Fee Structure.
 - i. Registration Fee. This fee is paid on a per swimmer basis and used for the payment of coaching staff, rental of pool facilities, and other expenses associated with the operations of SLST.

 - ii. Fund-raising. At the discretion of the SLST Board of Directors one or more fund raising activities may be established to assist the team in meeting its financial obligations and for funding team activities. Alternatively, the Board may establish a buy-out fee in lieu of fund-raising activities.

- d. Limitations. No part of the net earnings SLST shall insure the benefit of, or be distributable to its members, directors, officers, or other private persons, except that SLST shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article I. No substantial part of the activities of SLST shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the team shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, SLST shall not carry on any other activities not permitted [a] by a corporation exempt from federal income tax under Section 501 (c) (3) of the Internal Revenue Code, or the corresponding section of any future Federal Tax Code; or [b] by a corporation, contributions to which are deductible under Section 170(c) (2) of the Internal Revenue Code or the corresponding section of any future Federal Tax Code. All payments made to individuals are subject to federal and state taxes as described by the law. Therefore, no payment will be made to any individual without proper ID, including social security number. A 1099 will be mailed no later than January 31st of each year for those who qualify for it.
- e. Dissolution. Upon the dissolution of the team for any reason, the Board shall after paying or making provision of the payment of all the liabilities of the team, dispose of the assets of the team exclusively for the purpose of the team or for one or more exempt purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code, or the corresponding section of any future Federal Tax Code, or shall be distributed to the federal government, or to a state or local government, or to a local association/team with a similar mission statement, or to a charity for a public purpose. This disbursement shall occur within 12 months of dissolution.

Section 2.02 Operating Procedures / Policies

The Operating Procedures are specific rules and guidance for operating SLST. Usually these are set for or by specific individuals (Head Coach or Board of Directors). Operating Procedures/Policies are usually specific in nature and may not violate or contravene the By-Laws. This includes but is not limited to, the SLST Parent/Swimmer Handbook as a set of Operating Procedures/Policies.

Typically, these are published and revised annually so that affected parties may understand and adhere to them.

Section 2.03 Operation Procedures / Corporate Status

SLST operates as 501 C (3) non-profit organization.

Section 2.04 Operation Procedures / Team Property

- a. Physical Property. All physical properties, purchased by SLST, awarded to SLST, or donated to SLST shall remain under the ownership of the organization. No individual may make claim to such items, including but not limited to computer hardware and software, scoreboards, banners, ribbons, and other miscellaneous equipment for team use.
- b. Electronic Property. All electronic property, including but not limited to website, team data files (including results, records and swimmer information), and photographs are under the exclusive ownership of the SLST organization and may not be claimed by any individual party.

Article III. Stakeholders (affected parties)

Section 3.01 Board of Directors

The purpose of the Board of Directors is to govern the SLST in a manner that promotes and fulfills the Mission Statement.

- a. Structure. The Board of Directors shall consist of nine voting members: President, Vice-President, Secretary, Treasurer, CPAL (Central Pennsylvania Aquatic League) representative, and four At-Large Members. No more than one member from any family may be represented on the Board.
- b. Terms of Office. All Officers and Board members are to be elected for a two year term beginning in spring 2008. President, Secretary, and two At-Large members shall be elected in odd-numbered years. Vice-President, Treasurer and remaining At-Large members shall be elected in even-numbered years. No member of the Board of Directors may serve more than

two consecutive terms in the same position with exception of the CPAL representative.

c. Elective Process

- i. Formation. Outgoing board members shall act as the nominating committee for the upcoming election. Nominations will be solicited from the general membership, defined as parent/guardian of an active swim team member, by mail and/or e-mail and will be submitted to the nominating committee chair by January 15th. A complete ballot will be provided by the nominating committee and will be available two weeks prior to the Awards Ceremony. Voting will take place at the Awards Ceremony. See Section 3.03.
- ii. Replacement of Board Member(s). When a board member vacates his/her position before his/her term expires, it may be filled at the discretion of the board by either appointment or special election. Appointment of a board member requires a simple majority vote of the board.
- iii. Removal or Censure of Board Member(s). A member of the Board of Directors may be censured or removed for any cause deemed detrimental to the values and good of the SLST by means of a simple majority vote.

d. Board Members

General Duties of Officers, At-Large Members and CPAL League Representatives:

- i. Attend a majority of the scheduled dual swim meets and are available to the general membership of SLST.
- ii. Attend a majority of the scheduled board meetings.

President's duties:

- i. Appoints chairpersons (as needed) to appropriate standing committees and will oversee the functioning of the committees.
- ii. Conducts monthly meetings of the Board of Directors and three Parent meetings.
- iii. Acts as a liaison to coaching staff, general membership and any suppliers.
- iv. With input from the Board, compiles agendas for meetings.

- v. Ensures league representation within CPAL.
- vi. Co-owner of team accounts with Treasurer and maintains key to the post office box.

Vice President's duties:

- i. Takes over duties of the President in the President's absence.
- ii. Assists the President in the formulation of strategies for the betterment of the team
- iii. Provide leadership in specific areas as directed by the President or Board

Secretary's duties:

- i. Takes minutes at each meeting and distributes them in a timely fashion to the Board. Makes the minutes available for posting on the Sea Lion Website in a timely fashion following Board approval.
- ii. Will file and take charge of all papers and documents belonging to the team.
- iii. Maintain back up copy of all records, including but not limited to by-laws, minutes, operating procedures (SLST Swimmer/Parent handbook) and sees that they are stored in an alternate, safe location.
- iv. Communicate pertinent information to Webmaster for publication on SLST website, in a timely fashion.

Treasurer's duties:

- i. Reports on the balance and financial status of the team.
- ii. Records all monies received for team and related fees.
- iii. Pays all bills incurred by the team for planned and budgeted expenses.
- iv. Retains budgets and actual expenses from previous years for comparison purposes
- v. Closes books at the end of the year.
- vi. Maintains a current roster and list of those swimmers in good standing.
- vii. Co-owner of team accounts along with President and maintains key to the post office box.
- viii. Maintains electronic and paper back up of all financial records and sees that they are stored in an alternate, safe location.

- e. Ex-Officio Members: Head Coach/ Assistant Head Coach(es):
 - i. One representative of coaching staff must be present at all board meetings and parent meetings.

- f. At-Large Members (4) duties:
 - i. May serve as chairperson or member of committees created to promote the activities of the Sea Lion Swim Team.

- g. Indemnification
 - i. SLST shall, to the extent legally permissible, indemnify each person who may serve or who has served at any time as an officer, director, or employee of SLST against all expenses and liabilities, including, without limitation, counsel fees, judgments, fines, excise taxes, penalties and settlement payments, reasonably incurred by or imposed upon such person in connection with any threatened, pending or completed action, suit or proceeding in which he or she may become involved by reason of his or her service in such capacity; provided that no indemnification shall be provided for any such person with respect to any matter as to which he or she shall have been finally adjudicated in any proceeding not to have acted in good faith in the reasonable belief that such action was in the best interests of SLST; and further provided that any compromise or settlement payment shall be approved by a majority vote of the directors who are not at that time parties to the proceeding.
 - ii. The indemnification provided hereunder shall inure to the benefit of the heirs, executors and administrators of persons entitled to indemnification hereunder. The right of indemnification under this Article shall be in addition to and not exclusive of all other rights to which any person may be entitled.
 - iii. No amendment or repeal of the provisions of this Article which adversely affects the right of an indemnified person under this Article shall apply to such person with respect to those acts or omissions which occurred at any time prior to such amendment or repeal, unless such amendment or repeal was voted by or was made with the written consent of such indemnified person.
 - iv. This Article constitutes a contract between SLST and the indemnified officers, directors, and employees. No amendment

or repeal of the provisions of this Article which adversely affects the right of an indemnified officer, director, or employee under this Article shall apply to such officer, director, or employee with respect to those acts or omissions which occurred at any time prior to such amendment or repeal.

Section 3.02 Swimmers

Swimmers are the reason for the existence of the Sea Lions Swim Team.

- a. Eligibility.
 - i. Swimmers shall be eligible to participate in practices and meets if they are members in good standing. Good standing is defined as all fees being paid before the start of dual-meet competition.
 - ii. Swimmers must meet Skill-level requirements for participating on the team as stated in the operating procedures.
 - iii. In order to constitute team spirit and unity all swimmers are expected to participate in season defined majority of scheduled Central Penn Aquatic League (CPAL) dual meets held during the regular season. Swimmers are strongly encouraged to compete in divisional championships and invitational meets.
 - iv. Swimmers are required to abide by expectations set forth in the SLST operating procedures (Parent/Swimmer Handbook).

Section 3.03 Parents/Guardians

Parents are considered the foundation of the Sea Lion Swim Team. Without their unselfish contributions, this team could not exist or function.

- a. Parent meetings (minimum of 3 per season)
 - i. Within the first two weeks of practice
 - ii. Prior to the first swim meet
 - iii. End of the season meeting (awards meeting)
- b. Volunteering
 - i. Parents/Guardians are required to fulfill the volunteer commitments as set forth in the SLST Parent/Swimmer Handbook.

- c. Voting rights/Election of Board Members
 - i. All parents or guardians of active team members in good standing are eligible to serve on the Board of Directors.
 - ii. All parents or guardians are eligible to vote for the Board of Directors in an election at the end of the season meeting. Voting will be one per family and done by paper ballot. Voting must be done in person or by absentee ballot submitted at end of the season meeting.
 - iii. Parents are eligible to vote in any election of the Board of Directors or on any matter that the Board may place on a ballot or survey. Active participation of parents is encouraged.

- d. Active support of fund-raising
 - i. The Sea Lion team is highly dependent upon fund-raising activities for solvency and for the funding of beneficial and team-building activities. Each family is required to actively contribute to the raising of funds, if determined that fund raising is necessary, to support team activities.

Section 3.04 Coaches

Coaches provide the guidance, structure, and expertise necessary for swimmers to reach their full potential. Hiring of coaches shall require a simple majority vote of the Board of Directors. The Head Coach is encouraged to take a strong role in recruitment of assistant coaches. All coaching positions shall be specified by means of published job descriptions as found in Coaches Handbook, which shall include duties, hierarchy of coaches, expected behaviors and performances, and any certifications and credentials.

Terms:

- Censure: an expression of strong disapproval or harsh criticism
- Removal: loss of membership on the Board of Directors
- Dismissal: removal of a swimmer for just cause from the Sea Lion Swim Team. Shall require a simple majority vote of the Board of Directors or may be done unilaterally by the Head Coach for just cause.