

## **Bulldog Aquatic Club Inc. By-laws**

### Organization:

Bulldog Aquatic Club Inc., herein called BAC is incorporated in the State of Michigan under the Michigan Non-Profit Corporation Code to qualify as an exempt organization, and shall be managed at all times in such a manner as to qualify the Corporation for such exemption. BAC exists primarily to foster competitive swimming among children and to provide the instruction and training necessary to enable them to compete in USA/Michigan Swimming swim meets. Swimming by young people for physical development, fitness and relaxation is a secondary purpose, but should not detract from the competitive nature of the program. Other USA Swimming sanctioned pursuits may also be engaged in from time to time.

### Article I - General Provisions

- A. The name of the Club shall be Bulldog Aquatic Club (hereinafter BAC)
- B. The BAC, each of its members, and coaches, shall comply with the USA/Michigan Swimming swim rules and regulations.
- C. The BAC shall abide by the policies of the Board of Trustees of Schoolcraft College insofar as the facilities of that institution are utilized by the BAC.
- D. The BAC shall consist of members and coaching staff, and shall be governed by a Board of Directors selected from the membership, each with rights and responsibilities set forth below.

### Article II - Membership

- A. Membership shall consist of family units made up of one or more registered swimmers and their parental sponsors when applicable. The Coach and/or the Board shall limit the membership according to pool time, space limitations and/or coach to swimmer ratio.
- B. Each family shall pay an annual membership fee, the amount to be determined by the Board, payable each September or upon joining BAC. The Fee may be reduced upon Board approval, for families joining after April 1. Each family with a paid membership shall be entitled to one vote at any general membership meeting.
- C. Each swimmer shall pay dues on a timely basis according to the fee structure and payment schedule as set forth by the Board, payable to the treasurer. A swimmer shall pay dues for a given month in which the swimmer is in the water. Failure to pay fees and dues when payable may result in loss of swimming privileges, including meet entry.
- D. One or more adult representative of each family shall attend each Membership meeting scheduled by the Board of Directors, which annually are: the Membership meeting at the beginning of the short course season, and the banquets/election meeting in the spring. (These meetings are for the purpose

of distributing information, membership approval of policy, outlining responsibilities and assigning jobs for BAC meets, and/or election of Board members.)

E. Each family is required to assist at the USA/Michigan Swimming meets hosted by BAC.

F. Each swimmer shall be registered with USA/Michigan Swimming. No swimmer shall be allowed to participate in BAC workouts or other activities unless that swimmer is a current, paid member in good standing with USA/Michigan Swimming.

G. It is the responsibility of each swimmer and the family of each swimmer to ensure the health and physical fitness of the swimmer to participate in BAC workouts and USA/Michigan Swimming meets. Each member, by virtue of membership agrees that BAC, its coaches, and/or members individually or collectively shall not be liable for any accident, illness or injury suffered by a swimmer for lack of requisite health or fitness. Each member further agrees, that not in any event will the BAC, its coaches, and/or members individually or collectively be liable to any swimmer or other member for any reason in excess of the insurance provided by USA/Michigan Swimming.

H. Each family is responsible for having an emergency consent form on file for each of its swimmers.

I. Entries to USA/Michigan Swimming meets must comply with USA/Michigan Swimming rules and regulations, in the Format suggested by BAC, and be accompanied by payment. For entry into State Championships, it is the responsibility of the swimmer to provide adequate proof of claimed times with the entry or the entry will not be processed.

J. Each swimmer as a member of BAC is expected to display good sportsmanship, respect the persons and property of others, and to show respect for coaches, officials, parents and swimmers. Conduct unbecoming a member is grounds for imposing sanctions as addressed in Article IV Section B.

K. The membership, by petition of a majority of its families, may require the Board of Directors to convene a membership meeting.

### Article III - Board of Directors and Officers

A. The governing body of the BAC shall be the Board of Directors (hereinafter "Board"), consisting of 8 members who shall elect from their number a president, vice president, secretary, and treasurer. The Board may function with fewer members if a good faith effort fails to produce persons willing to serve on the Board.

B. Board members shall be elected by a majority vote of those members present at the annual membership meeting after nomination by the Board or from the floor. Board membership shall be limited to one member per family unless necessitated by limited club membership. Term of office shall be two years with 4 members elected in even calendar years and 4 members elected in odd calendar years. The president, with the advice and consent of the Board may fill a vacancy on the Board for the remainder of the term, or the Board may function with a reduced number of members until the next election, in which quorum requirements will be accordingly reduced.

C. Board members shall attend monthly Board meetings. A Board member shall notify the president or the secretary of any anticipated absence. Each Board member present shall be entitled to one vote. Five members shall constitute a quorum to transact business. A majority vote of the entire Board is required in matters of finance and policy. Votes may be filed in absentia, but proxies shall not be allowed. Board meetings shall be open to the membership unless closed by prior announcement.

D. Officers shall be elected by the Board at a closed meeting of the Board to be held within one month of the membership meeting at which Board member are elected. Officers serve at the pleasure of the Board and may be removed or replaced by majority vote of the entire Board. The Board may choose to re-organize its officers if the majority of the Board agrees.

E. The president shall be the principal officer of BAC and shall preside at all meetings of BAC and of the Board; shall be responsible for communicating policy and actions of conduct and management to the Board and the general membership; shall be an ex officio member of all committees established by the Board.

F. The vice president shall preside at meetings of the Board in the absence of the president; shall assume powers and perform such duties as may be assigned by the president.

G. The secretaries shall be responsible for taking, publishing and recording minutes of the meetings of the Board and shall perform such other duties as required by the Board.

H. The treasure shall be responsible for the receipt and custody of all monies of the BAC and for disbursement thereof with sufficient proof of expenditure and/or as authorized by the Board; shall keep accurate accounts of monies received and paid; shall prepare and issue financial statements and reports as required by the Board; shall provide an annual written financial statement to the membership. The treasurer's accounts shall be examined annually by an auditor or an audit committee selected by the Board. This shall be accomplished within on month of the end of the fiscal year. The fiscal year for the BAC shall run from September 1 to August 31.

I. The four additional directors shall be responsible for attending meetings of the Board; shall perform such duties as may be assigned by the Board; shall participate along with the officers in establishing policies and taking actions for the benefit of BAC

J. The Board shall select and employ the Coach by majority vote of the entire Board and determine his or her compensation. The Coach will serve as an adviser to the Board in matters of swim programs and procedures.

K. The Board shall determine the qualifications for membership in BAC, Resolve disputes among the members, expel members or impose other sanctions, as it deems appropriate.

L. With the advice and consent of the Board, a member may recommend the creation of committees. Designation of "committee" shall be given upon description of its function, submission of a proposed budget if applicable, and upon the majority voted approval of the Board.

#### Article IV - Coach

A. The Coach shall develop and implement the training program of BAC, Provide instruction, and attend meets as required by the Board. The Coach must be registered with USA/Michigan Swimming and have all the health and safety training required by that organization and/or BAC.

B. The Coach has the authority and responsibility to maintain discipline during swimmer participation. In matters of conduct and routine discipline the Coach has the authority to impose such lesser sanctions as may be required. However, no swimmer shall be suspended or expelled without notification to the Board and hearing before the Board if it is required. Any action of concern may be appealed before the Board.

C. With the advice and consent of the Board, the Coach may select and employ one or more assistant coaches who meet the USA/Michigan Swimming and BAC requirements for coaching staff, and whose compensation shall be determined by the Board.

#### Article V - Amendment of By-Laws

These By-Laws may be amended by the majority of those registered members present and eligible to vote at a general membership that such an amendment is to be proposed at the meetings.

Article VI - INDEMNIFICATION - BAC shall indemnify and save harmless any individual against the expense of any action, suit or proceedings in which they are made a part by reason of his being or having been a Director, Officer or duly authorized agent of BAC, 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.

Article VII. DISSOLUTION - In the event BAC dissolves, splits or otherwise ceases to legally exist under the terms and conditions of these bylaws, the remaining assets of BAC, after all just debts have been discharged, shall be disbursed to any non-profit organization or organizations. These other organizations shall be determined by the individual members; and their pro rata share of the assets shall be sent to that non-profit organization.

Article VIII. REIMBURSEMENT - Officers and Directors may be reimbursed for reasonable out of pocket expenses made on behalf of the CLUB, but shall not otherwise be compensated.

Adopted this 4<sup>th</sup> day of June, 2002