

Penns Valley Penguins Swim Team Bylaws
June 2022

ARTICLE I: NAME OF ORGANIZATION

The name of the organization is "Penns Valley Penguins Swim Team" (hereinafter referred to as PV Penguins).

ARTICLE II: STATEMENT OF PURPOSE

The purpose of the PV Penguins shall be:

- A. To provide safe, affordable, and convenient access to summer swim team participation for youth ages four through eighteen of Penns Valley.
- B. To provide children with instruction to improve their technical swimming skills and to encourage teamwork, integrity, and sportsmanship through the concept that individual performances promote the overall well-being and collective success of the team.
- C. To develop interest in swimming in our young community members in order to foster interest in the Penns Valley Area high school swim team.

The PV Penguins will operate as a not-for-profit organization, investing all money raised from fees and fundraising activities toward pool rental, coaching, equipment, and supplies necessary to operate the team. No part of the PV Penguins assets shall benefit any members.

ARTICLE III: LEADERSHIP AND OPERATIONS

The PV Penguins will establish a functioning Board of Directors (hereinafter the Board) responsible to the swimmers and parents for the operation of the swim team. All corporate powers and governance responsibilities will be exercised under the authority of the Board, subject to any limitations set forth in these Bylaws, to include managing and conducting the business and financial affairs of the PV Penguins.

The Officers of the Board (hereinafter the Executive Board) shall consist of a President, Vice President, Secretary, and Treasurer. The Board of Directors may appoint such other officers as it may deem necessary or desirable and may

prescribe the powers and duties of each. These additional officers will be Members-at-Large in an official voting capacity.

SECTION 1. PRESIDENT

- The President shall oversee all operations of the PV Penguins swim team.
- The President shall preside over all meetings of the membership and the Executive Board.
- The president shall communicate on behalf of PV Penguins.
- The president shall be responsible for equipment purchases for the team at the request of the coach and with the approval of the Board.
- The President shall assign a Board member to be the liaison with the Penns Valley Park and Recreation Association (PVPRA), which operates the Millheim Pool.

SECTION 2. VICE PRESIDENT

- The Vice President shall perform all of the above duties with the President and fill in for the President if absent for any reason.
- If the President vacates his/her position, the Vice President will assume the office of the President.
- The Vice President shall perform other roles as designated by the President or undertaken voluntarily.

SECTION 3. SECRETARY

- The Secretary shall keep an accurate record (including attendance) of all the meetings of the Board and shall distribute or make available the minutes to Board membership in a timely manner after each meeting.
- The Secretary shall perform other roles as designated by the President or undertaken voluntarily.

SECTION 4. TREASURER

- The Treasurer shall maintain a record of all money received and paid by the PV Penguins. The funds, as well as the books and record-keeping materials, are property of PV Penguins and must be available upon request.
- The Treasurer shall make an annual budget to be approved by the Board.
- The Treasurer shall be responsible for receiving all funds from registrations, concessions, and other sources and depositing them in a timely fashion into the PV Penguins bank account.
- The Treasurer shall promptly reconcile all bank statements when received.
- The Treasurer shall disburse funds by check or electronic fund transfer, as authorized by the Board.
- The Treasurer shall give regular financial reports, including income and expenditures, to the Board at meetings.
- The Treasurer shall arrange an internal audit when there is a change in treasurer, at least every five years, and upon request from any board member with board approval. Audit results will be available upon request to any swim team family.
- The Treasurer is responsible for cash needs for concessions at home meets.
- The Treasurer shall maintain a seven-year file of receipts, cancelled checks, bank statements, and other financial materials.
- The Treasurer shall perform other roles as designated by the president or undertaken voluntarily.

SECTION 5. HEAD COACH

The Head Coach shall participate in Board discussions; however, the Head Coach will not hold a voting Board position. The Head Coach will be excused from Board proceedings on issues that involve compensation for coaches. The Head Coach will coordinate swim practices, the swim season schedule, and the hiring of Assistants and Volunteer Coaches with the Board. Head Coaches must be high school graduates, and have appropriate certifications and credentials as approved by the Board.

SECTION 6. WEBSITE MAINTENANCE

The PV Penguins website shall be maintained by an individual who will be paid for their work. This task may be combined with the head coach's duties provided extra payment is made for the work.

SECTION 7. MEMBERS-AT-LARGE

Members-at-Large are voted on and approved by majority vote of the Board. The Members-at-Large will assist the Executive Board with their duties on an ad hoc basis. Any parent or family member of the PV Penguins who is interested in promoting the purposes of PV Penguins may participate as a Member-at-Large.

SECTION 8. LIAISON TO PVPRA

A Board member appointed by the President shall be the liaison with PVPRA starting in January and will manage all negotiations of pool rental fees, schedule needs for the team, and any additional needs of the team from the PVPRA for the season.

SECTION 9. MEMBERSHIP LIMIT

The board shall not exceed ten board members at any time.

SECTION 10. QUALIFICATIONS AND LIMITATIONS

A. To be eligible to apply and/or be nominated for the position of President, a member must have served as a Member-at-Large for at least one term and be a parent in good standing.

B. Only one parent or family member per family may serve on the Board at a time.

C. Any qualifications or limitations in these Bylaws may be waived or modified for any election and officer position by a majority affirmative vote of currently serving Board members.

SECTION 11. ELECTIONS AND TERMS OF OFFICE

A. The term of office for a Board member shall be from February through January of each year.

B. All Board members may hold their offices for any number of consecutive years, provided they are nominated and elected by a majority of the members on an annual basis.

B. Elections occur in January or February and prior to the end of Board terms. Officers and Board members are elected by a majority of votes cast by current Board members eligible and entitled to vote in the election. Elections can be held either during a scheduled Board meeting at which a quorum is present or using an online voting system. To be elected or appointed as an officer or Board member, the member must consent to the election or appointment process and be willing to serve.

C. Board positions that become vacant during a term may be filled by an eligible member at a special Board meeting, provided the position vacancy and election to the position are announced in advance and included on the official agenda for that meeting.

D. Board positions eliminated during a term may result in either an immediate elimination of the position and the Board member's excusal from the Board or the Board member may continue to serve the remaining time in the term based upon a Board vote on the issue.

SECTION 12. TERMINATIONS, VACANCIES AND RESIGNATIONS

A. The Board may terminate any officer or Board member, with or without cause, but only at a meeting called for that purpose. The advance notice of the meeting must state that one purpose of the meeting is to discuss and vote on the possible termination of the officer or Board member. Any such terminations will be effective by a majority vote of currently serving Board members in a meeting with a quorum present.

B. A vacancy on the Board resulting from either a termination, resignation, or increase in the number of Board positions may be filled by the currently serving Board members until the next annual election or may be filled by a discussion and vote at either a regular or special meeting providing the position and vote are announced in advance and the issue is on the meeting agenda. The new incoming Board member will commence serving on the Board on a date determined by the Board. Although Board members may normally serve in only one position at a time, under these circumstances a Board member may temporarily hold more than one position.

C. Board members may resign their position at any time with a written notice to the Board. The resignation will be effective when the written notice is received by the Board or on a date discussed and voted upon by the Board.

SECTION 13. COMPENSATION

No salary or other compensation shall be paid to any officer of the organization other than the Head Coach.

The salary of the Head Coach will be negotiated annually and will be approved by a majority vote of the Board.

ARTICLE IV: MEMBERSHIP AND FEES

SECTION 1. ELIGIBILITY

Membership on the PV Penguins team or Board shall be allowed without regard to race, color, creed, religion or national origin, under such rules and regulations as may be prescribed in the guidelines of this swim team to any individual who subscribes to the objectives and the basic policies.

The PV Penguins shall register its summer swim team members in the spring, prior to the summer season (June-July).

Summer swim team members must be between the ages of four and eighteen as of June 1.

Registration dates and terms will be determined by the Board annually.

Membership at the Millheim Pool is not a requirement for team families, but may be obtained by families at an additional fee. Pool usage fees for the PVRPA facility during swim team activities are covered by the swim team registration fee.

SECTION 2. PARENTS' RIGHTS AND OBLIGATIONS

Parents in good standing have the right, subject to the rules and procedures of the PV Penguins, to announce and compete for election to the Board. They also have the right to serve and otherwise participate in PV Penguins programs to the extent determined by and under the direction of the Board, Executive Board, and Head Coach of the PV Penguins. To maintain good standing, parents must:

- A. Be the parent, grandparent, or guardian of swim team member(s) in good standing.
- B. Make timely payments of all dues, fees, and financial obligations for their children.
- C. Fulfill volunteer requirements and support swim meets as volunteers or officials, as required, except as exempted by Board actions and votes.

SECTION 3. FEES

Each summer program participant shall pay a membership/registration fee. Registration fees will be determined by the Board. A full refund minus a \$20 administrative fee will be given for the summer program if notice of withdrawal from the team is received before the start of the third week of practice.

ARTICLE V: MEETINGS

SECTION 1. REGULAR BOARD MEETINGS

The Board will meet at a regularly scheduled date and time, which may be modified by appropriate advance notice, as discussed and approved by the Board. The regularly scheduled meetings will be known as Regular Meetings.

SECTION 2. ANNUAL PARENTS' MEETING

The parents will meet annually at a date and time discussed and approved by the Board, and the meeting will normally be held at the beginning of the summer season to review policies, schedules, and expectations.

SECTION 3. SPECIAL MEETINGS

A special meeting of the Board may be called by any Board member to discuss issues and concerns of the Board or the parents. Meetings so called will adhere to the advance notification requirements and to a specific agenda, and no other issues or business may be discussed at the meeting.

SECTION 4. NOTICE OF MEETINGS

Regular Board and Annual Parent Meetings will be announced in advance by email and social media. The notice will include the date, time, and location of the meeting and a summary of the agenda or issues to be discussed. The notice should be published at least ten days before the meetings and no more than 60 days prior. Members are responsible for monitoring the PV Penguins social media channels and ensuring their email listing is correct and up to date.

ARTICLE VI: VOTING

The presence of a majority of the current Board members is required for a quorum and for the transaction of business and the casting of votes at a meeting of the Board. Any business decisions or proposed changes that would impact the team must be brought to the attention of the Board (including but not limited to suit selection, management of coaching staff, rule changes, schedule, budget, and proposed expenditures). An affirmative vote of a majority of the Board members present is an act of the Board provided the affirmative votes represent a majority of the total number of Board members. Each Board member shall have only one vote, regardless of the number of positions occupied.

Each year, there will be a discretionary budget of \$150 or an amount approved by the Board for concessions items (i.e., storage, utensils). Each year, there will be a discretionary budget of \$150 or an amount approved by the Board for team

practice items of \$150 that can be spent at the discretion of the coach. Spending beyond \$150 for either use will require Board approval. If a team expense is less than or equal to \$200, the Executive Board must vote to approve the expenditure. If a team expense is greater than \$200, the full Board must vote to approve the expenditure. Any expenditure greater than or equal to \$50 must be included in the Treasurer's Report at meetings.

ARTICLE VII. BOARD COMMITTEES

SECTION 1. STANDING COMMITTEES

The Board will establish various committees to assist in the support of the PV Penguins swim team. The procedures for nomination, appointment, election, extension, and replacement of those serving on committees will be determined by the Board.

SECTION 2. COMMITTEE MEETINGS AND INFORMATION

- A. The provisions of these Bylaws, which govern meetings and quorum and voting requirements of the Board members, will apply to committees as well.
- B. Committees may be requested and required to provide status updates to the Board at designated meetings.

ARTICLE VIII. PARENTAL SUPPORT

SECTION 1. PARENTAL INVOLVEMENT, PARTICIPATION, AND SUPPORT

As a volunteer organization, the PV Penguins depend on parent involvement to achieve goals on behalf of our swimmers. Parents are required and expected to support the PV Penguins by participating in and supporting various volunteer opportunities. Swim meets are conducted with parents as officials and volunteers in numerous duties ranging from judges to timers, and to various support requirements. Social events are organized and administered by parents to help our swimmers enjoy fun experiences associated with the hard work of practices and competitive swimming. Coordinating and managing the administrative and financial responsibilities of the PV Penguins requires the talents of volunteers as

Board members. The PV Penguins need parents to be active, to be involved, to be participants, and to be supportive of those activities that benefit our swimmers. Supporting the volunteer requirements of the PV Penguins is essential to the success and future of the PV Penguins.

SECTION 2. GOVERNANCE

The objectives of the PV Penguins are promoted through the Board to all members. The Board is responsible for governance of the team and establishing team policies, dues and fees, and hiring coaches. These Bylaws provide a summary guidance to the Board and parents regarding the effective, efficient, and economical governance of the PV Penguins. The swimmers and their families are governed and qualified by the Basic Policies set forth herein.

SECTION 3. GOOD CONDUCT

Swimmers and families will conduct themselves at practices and meets exhibiting good discipline and sportsmanship toward all swimmers, coaches, and meet officials. Any swimmer not adhering to this guideline, by the discretion of the Head Coach, meet officials, or the Board, may be suspended from practices, meets, social events, or expelled from the team.

Section 4. COMMUNICATION

Communications between swimmers, coaches, parents, and the Board is accomplished via email and social media or any other means communicated to the swimmers by the Board. Parents and swimmers are responsible for checking their emails on a daily basis for updates.

ARTICLE IX. ADMINISTRATIVE PROVISIONS

SECTION 1. PARLIAMENTARY PROCEDURES

“Robert’s Rules of Order, Revised” will govern board meetings.

SECTION 2. BYLAW CONFLICTS

In the event of conflicts between these Bylaws and the Central Pennsylvania Swim League (CPSL) regulations, the League shall prevail. The CPSL is the swim league in which the PV Penguins competes. Should the Board wish to switch leagues, approval of a majority of the Board is required.

SECTION 3. ISSUES, CONCERNS, AND GRIEVANCES

Swimmers or parents desiring to express an issue, concern, or grievance should do so professionally and personally. The initial action may be, for example, to talk politely and privately with the person you believe best able to resolve the situation. In matters pertaining to coaches or coaching, for example, the Head Coach may be the initial contact. In matters pertaining to governance, for example, one of the Executive Board or Members-at-Large may be the initial contact. If the situation is neither resolved nor corrected, a written letter to the Board with all relevant facts may be submitted so that it may be placed on the agenda for a discussion and a vote, as required. It is rarely, if ever, appropriate for a mass or broadcast email to be forwarded to all members without first attempting to resolve the situation in an informal personal forum or venue prior to initiating a formal or official letter or discussions with the Board.

ARTICLE X. AMENDMENTS TO OR REPEAL OF THE BYLAWS

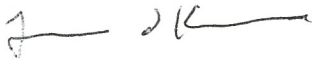
These Bylaws may be amended or repealed and new Bylaws may be written and approved at any Regular or Special meeting of the Board. Bylaws approved by the Board may be amended or repealed, and new Bylaws written and approved by Board may prescribe that any such Bylaws approved by them may be neither amended nor repealed by the Board without the approval of the parents or a unanimous vote of the Board.

The Board must review and vote upon the bylaws yearly.

This document, the By-Laws of the Penns Valley Penguins Swim Team, was voted on and adopted June 2, 2022.



Erin Blumsack, President



Jerome Klena, Vice President

Erin Puissegur, Secretary



Betsy Quigley, Treasurer

