



**Bylaws of the Arlington Alligators Swim Club  
an Illinois Non-profit corporation  
DBA – “Alligator Aquatics”**

**ARTICLE I**

**NAME**

The name of the corporation is “The Arlington Alligator Swim Club, Inc.”

**ARTICLE II**

**PURPOSES AND OBJECTIVES**

**2.1 Non-Profit Corporation**

This corporation is a non-profit public benefit corporation working in conjunction with Illinois Swimming, Inc. This corporation is a non-profit public benefit corporation and is not organized for the private gain of any person. It is organized under the Non-profit Public Benefit Corporation Law for charitable purposes.

**2.2 Tax-Exempt Status**

This corporation is organized exclusively for charitable and educational purposes and for the purpose of fostering national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment) within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States internal revenue law. Notwithstanding any other provision of these bylaws, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation and the corporation shall not carry on any other activities not permitted to be carried on by:



- (a) a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States internal revenue law, or
- (b) a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States internal revenue law.

### **ARTICLE III**

#### **NONPARTISAN ACTIVITIES**

- 3.1** This corporation has been formed for the public purposes described above and it shall be non-profit and non-partisan. No substantial part of the activities of the corporation shall consist of the publication or dissemination of materials with the purpose of attempting to influence legislation and the corporation shall not participate or intervene in any political campaign on behalf of any candidate for public office or for or against any cause or measure being submitted to the people for a vote. The corporation shall not, except in an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes described above.

### **ARTICLE IV**

#### **DEDICATION OF ASSETS**

- 4.1** The properties and assets of this non-profit corporation are irrevocably dedicated to charitable purposes. No part of the net earnings, properties or assets of this corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual or any member or director of this corporation. On liquidation or dissolution, all properties and assets and obligations shall be distributed and paid over to an organization dedicated to charitable purposes, provided that the



organization continues to be dedicated to the exempt purposes as specified in Internal Revenue Code 501(c)(3).

## **ARTICLE V MEMBERSHIP**

Membership in the organization shall be open to all who share an interest in furthering the purpose of the organization. All parents or guardians of registered swimmers are automatically members. The Coaching staff shall also be members. Members shall pay such dues and fees as may from time to time be fixed by the Executive Board. No person may hold more than one membership or a fractional membership.

### **5.1 Qualifications**

- (a) There shall be one class of membership in this corporation consisting of:
  - (i) the parents or legal guardians of and living with minor children who participate in amateur competitive swimming activities conducted by the corporation,
  - (ii) minor children who participate in amateur competitive swimming activities conducted by the corporation, and
  - (iii) emancipated persons who participate in amateur competitive swimming activities conducted by the corporation.

### **5.2 Termination of Membership**

- (a) **Causes of termination.** The membership of a member shall terminate upon occurrence of any of the following events:
  - (i) the resignation of the member, the departure of the member(s) from the team,
  - (ii) the failure of the member to pay dues or assessments, if required, within the times set forth by the Executive Board,
  - (iii) the determination by the Executive Board, Head Coach or a committee designated to make such determination that the member



has failed in a material and serious degree to observe the rules of conduct of the corporation or has engaged in conduct materially and seriously prejudicial to the interests and purposes of the corporation.

- (b) **Procedure for expulsion.** Following the determination that a member should be expelled under subparagraph (iii) above, the corporation shall issue a letter to the member detailing the reason(s) for the expulsion. Termination will begin immediately.

### **5.3 Transfer of Membership**

No member may transfer for value a membership or any right arising from such membership.

## **ARTICLE VI MEETINGS OF MEMBERS**

- 6.1** Membership meetings shall be held in the Spring (banquet) and Fall (Parent meeting) and thereafter as deemed necessary by the CEO, President or a majority of the Executive Board.
- 6.2** Executive Board meetings shall be held each month with the exception of the months when general membership meetings are held and thereafter as deemed necessary by the CEO, President or a majority of the Executive Board. Meetings may be held via email a total of four (4) times during the year, more if circumstances make it truly necessary.
- 6.3** Each family whose fee is paid is eligible for one vote in General Membership meetings. Additionally, each coach is entitled to one (1) vote.



- 6.4** The members eligible to vote shall be those members defined in Section 5.1(a) (i) and (iii). There shall only be one vote per household for voting members. Such vote shall only be exercised by an adult and, in the event such adults fail to agree how such vote should be cast, then the vote shall be disallowed.
- 6.5** The Executive Board Meetings shall constitute a simple majority (50% plus one) of eligible members. Each Executive Board member vote shall have one (1) vote except for the Head Coach when CEO, who shall have a one-third (1/3) vote. A quorum for the General Membership meetings shall constitute a representation from at least twenty percent (20%) of the families in the organization.
- 6.6** Voting decisions for the above meetings are reached upon the agreement of a simple majority (50% plus one) of the members present.
- 6.7** Meeting minutes from the Spring Banquet and the Fall Parent meeting will be signed by all members of the Executive Board.

**ARTICLE VII**  
**COMPOSITION OF EXECUTIVE BOARD**  
**ELECTION OF OFFICERS**

- 7.1** The Executive Board shall be comprised of:
- (a) Head Coach when Chief Executive Officer (CEO) (unlimited term);
  - (b) President (2-year term, with the maximum of two (2) consecutive terms / four (4) consecutive years);
  - (c) Vice President (2-year term, with unlimited renewals);
  - (d) Recording Secretary (2-year term, with unlimited renewals);
  - (e) Treasurer (2-year term, with the maximum of four (4) consecutive terms / eight (8) consecutive years);



- (f) Membership Chair / Registrar (2-year term, with the maximum of two (2) consecutive terms / four (4) consecutive years);
- (g) Member-at-Large (3-year term, renewable term based on Head Coach discussion with Board); and
- (h) Past-President (1-year term, if incoming President is new to the Executive Board).

The Executive Board shall make every effort to accurately represent the membership as a whole in all matters critical to members. The Executive Board will be responsible for monitoring expenditures in accordance with the approved budget and will also make such decisions as are necessary in both the long term and short term needs of the organization. The Executive Board shall be responsible to the hiring of the Head Coach and may also appoint the Head Coach as CEO or may reserve the duties of the CEO to the Executive Board as a whole, and in such case the Head Coach will be a non-voting member of Executive Board. The Executive Board will give direction and guidance to all Committee Chairpersons.

- 7.2 Married couples may hold any office jointly. Each will have a one-half (1/2) vote at Board Meetings.
- 7.3 At least sixty (60) days prior to the General Meeting in the spring any member can nominate a candidate for the Executive Board. At the February Executive Board meeting the Executive Board members will vote on the candidates nominated. The new Executive Board will then be presented to the general membership at the spring General meeting.
- 7.4 The Officers will serve two-year terms. President and Membership Chairpersons' terms shall both end on the same year. Vice-President, Treasurer and Secretary's terms will end on the same year. The day after the spring General meeting marks the start of the term of the newly elected Executive Board members. All out going



board members terms will terminate two weeks after the general meeting will commence with his/her official duties.

- 7.5 In the event that an Executive Board member is unable to complete his term, the remaining Executive Board may solicit and fill such position(s) with a simple majority vote (50% plus one) of Executive Board members.

## **ARTICLE VIII**

### **DUTIES OF OFFICERS – EXECUTIVE BOARD**

- 8.1 The President, jointly with the Head Coach when CEO, shall call monthly, and preside over, the Executive Board Meetings and the General Membership Meetings (Spring and Fall). The President shall be responsible for the overseeing of all officers and committee activities and provide liaison with the Head Coach and any third parties. The President and Head Coach when CEO may form any ad hoc committees deemed necessary; confirms with the Head Coach when CEO that our annual chartering is completed; maintains the non-profit tax-exempt letter and distributes copies as needed for team purchases; oversees Incident Report records and will check with the Head Coach to make sure the completed reports are submitted to United States Swimming; is head of all nominating committees; shall maintain a record of all forms necessary for the running of the Club and works with the Vice-President to oversee the fundraising and social activities of the Club.
- 8.2 The Vice-President shall become familiar with the duties of the Presidency, be prepared to perform such duties if and when necessary, and be an active part of the Executive Board. The Vice President shall prepare any correspondence necessary for the Executive Board; approves the President's reimbursable expense; is responsible for assisting the President in the receiving and accounting of funds collected by committee chairs and their delegates; assure the distributing



fliers to the area schools in the Spring and Fall has been taken care of; and works with the President to oversee the social activities of the Club.

- 8.3** The Recording Secretary shall keep the minutes of every meeting. These shall be presented to the Executive Board at its next meeting for review and ratification. A summary of the minutes shall be made available to the general membership. The Recording Secretary shall keep the minute book up to date. The Recording Secretary should also maintain files of any ad hoc committee meetings.
- 8.4** The Treasurer arranges and maintains the checking and/or savings accounts of the Club; prepares (jointly with the President and Head Coach when CEO) an annual budget (for submission to the general membership at the Fall General meeting) in conjunction with the Executive Board and submits monthly financial statements to the Executive Board. The Treasurer has check writing authority and is responsible for paying the bills (along with the Head Coach when CEO) incurred by the Club, as well as payroll expenses. The Treasurer shall insure that the payroll, the tax forms and the withholding forms are prepared and sent on time, and that the clubs tax-exempt status is current. The Treasurer shall recommend expenditures and alert the Executive Board when the Team's checking account falls below \$8,000.00.
- 8.5** The Membership Chair (Registrar) shall collect registration fees, maintain, distribute and update the team roster, insure that all swimmers are registered with United States Swimming and have a current medical release form on file. The Membership Chair shall inform members of team fee structures and payment deadlines; must be available to receive calls from interested parents and give them accurate information; shall maintain and update Registration Forms; and shall assure the distribution of the recruiting fliers to the local school districts in August and March.





- 8.6** The Member-at-Large shall be a person with at least two (2) years' experience with the Club and shall attend the Executive Board meetings to provide input on relevant issues.
- 8.7** The Past-President shall attend Executive Board Meetings and provide input on relevant issues.
- 8.8** The Head Coach shall be a positive role model and shall be an active member of the Executive Board meetings. The Head Coach shall be responsible for the hiring and training of assistant coaches, all communications with assistant coaches, and act as liaison between said coaches and the Executive Board; will be bound by the rules set by ISI and USA Swimming; is a permanent member of the Executive Board; and maintains accurate records for each swimmer and certification records for all coaches.
- 8.8a** The Head Coach shall follow all the guidelines in Section 1; has authority to dismiss temporarily any swimmer; has authority to write checks, up to the amount of \$1500.00, within the team budget and larger amounts, with approval of another Executive Board member; shall hire, maintain current contracts and dismiss staff as needed and keep the board informed of any of these. If contracts involve benefits, other than pay rate, these benefits must be approved by the Head Coach, President and Treasurer. The Head Coach, with the input and approval of the Executive Board, also defines the swim team mission and works with the Executive Board to fulfill these goals; works with Executive Board to define and promote long-term goals for the team and coaches; is a permanent member of all nominating committees; and is responsible for submitting the annual team chartering documents. The Head Coach has the authority to make decisions that will affect the future of a swimmer should the situation arise where that decision needs to be made and the Head Coach is in the position of having to make a decision immediately. The Head Coach will then bring the issue to the next Executive Board meeting for discussion. The Executive Board will then vote on



whether to hold with the Head Coach's resolution of the situation. The Head Coach is solely responsible for the selection of the Member-at-large position. In the event of a tie, the Head Coach shall have the deciding vote for Executive Board member nominations.

#### **ARTICLE IV**

#### **SELECTION OF COMMITTEE CHAIRPERSONS**

- 9.1** The Executive Board shall select the Committee Chairs. They shall maintain permanent records of their meetings, a copy of which shall be submitted to the President for inclusion in the files of the Recording Secretary. They shall be guided, informed and instructed by the Executive Board in a manner beneficial to the club. The Executive Board shall assure that all chairpersons follow this guidance in a timely manner.

#### **ARTICLE X**

#### **COMPOSITION OF COMMITTEES**

- 10.1** The Social Chair is responsible for assisting, as needed, with the organization of the annual Spring banquet, collecting all fees involved, and shall be responsible for organizing 1-2 special events per season for the team as approved by the Executive Board.
- 10.2** The Concessions Chair is responsible for planning, selling, and cleanup of concessions for the Team's home meets. This includes keeping an inventory of non-perishable items stored in the Team's offsite storage locker. This chairperson receives his/her budget from the Executive Board. If necessary, they must also provide a shopping list forty-eight (48) hours prior to the meet to Executive Board member who has check writing approval. He/she turns over all monies collected during the meet to the Treasurer. They are to have a committee to help achieve these expectations.



- 10.3** Apparel Chair is responsible for notifying parents and athletes of apparel available for purchase, as well as distributing apparel for purchase and collecting funds for the purchased items. He/she will also work with the Head Coach and President to order special apparel for the Championship season. An annual inventory shall be submitted to the President in March.
- 10.4** The Website Chair shall maintain and update the site with the Head Coach and/or President-approved web documents and information in a timely manner; establishes pertinent links to other sites; assists general membership with accessing information on the site.
- 10.5** The Publicity/Marketing Chair shall work closely with the Head Coach to communicate pertinent club information to the community through the media, as well as develop additional marketing areas for the club to pursue.
- 10.6** The Sponsorship/Fundraising Chair shall be responsible for developing sponsorship opportunities that are attractive to appropriate businesses; coordinating the presentation and sales of the sponsorship opportunities and working with the Club to assure the delivery of sponsorship benefits to the sponsors; and seek out and plan appropriate fundraising opportunities for the Club.

## **ARTICLE XI**

### **FEES**

- 11.1** Fees, as determined by the Registrar, Head Coach and President, vary by season and are to be paid according to the fee schedule. With the exception of a week trial period for swimmers new to the Alligator program, no swimmer will practice without having fees paid up to date.



- 11.2** Swimmers who are planning to participate in competition must keep their account balances up to date. A statement is available on the website and swim parents are responsible for monitoring and paying any balance. Only those swimmers with this balance up to date will be allowed to compete.
- 11.3** A coach will determine relay participation with payment for same to be billed to the individual accounts of established for each swimmer. Any swimmer who causes a relay to scratch is responsible for that entire relay's bill. Exceptions to this rule for illness or emergency may be made at the discretion of the coach.

## **ARTICLE XII DISBURSEMENT OF FUNDS**

- 12.1** Disbursements from organization funds shall be made according to the approved annual budget.
- 12.2** Disbursements for non-budgeted expenditures of up to \$3000.00 may be made with the approval of the Executive Board.
- 12.3** Disbursements for non-budgeted expenditures in excess of \$5000.00 may be made only if approved by a vote of the General Membership.

## **ARTICLE XIII POLICY**

- 13.1** Any swimmer, who wishes to terminate their membership on the team, or take a leave of absence, should notify the coaching staff and Membership Chairman in writing.
- 13.2** In the purchase of equipment for the Club, primary consideration shall be given to the priorities set by the coaching staff.



- 13.3** In matters where a swimmer/parent/coach feels a wrong has been committed, and yet can/will not be corrected by the originating source, the matter should be brought to the attention of the Executive Board who will work with affected parties to negotiate the matter.
- 13.4** These by-laws may be amended, rescinded or altered only by vote of the simple majority of the membership present at any general meeting.
- 13.5** All athletes participating in the water during practices and meets must be current USS athlete members. All coaches and assistant coaches coaching during practices and meets must be current USA Swimming Non-Athlete members. This responsibility lands on each individual coach.
- 13.6** The team must abide by all USA Swimming/ISI rules and Regulations during practices and while representing the Arlington Alligators Swim Team.
- 13.7** In the event that an Executive Board member is not acting in the best interest of the club, they may be placed on one month probation by a majority vote from the Executive Board. The Executive Board must make documented attempts to rectify the situation prior to the probation. At the conclusion of this time, the Executive Board shall vote to reinstate or remove this member, again by a majority vote.
- 13.8** All swimmers, Coaches, Executive Board Members, Parents, siblings and care givers, if present at practice, must abide by all Safe Sport guidelines set forth by USA swimming, Illinois Swimming and Arlington Alligators, at all times. Violations of any of these guidelines are grounds for immediate termination. This determination can be made by the Head Coach and/or the Executive Board, as long as it is documented in writing.