



**SCHOFIELD SHARKS SWIM CLUB**  
**CONSTITUTION AND BYLAWS**

**ARTICLE I – Name and Authority**

**Section 1**

The name of this organization is the Schofield Sharks Swim Club (SSSC).

**Section 2**

The SSSC is a non-profit Club established to assist and promote the Schofield Sharks Swim Team, provide incentive to and recognize the efforts of the Schofield Sharks swimmers, and to provide the opportunity to have fun group activities away from swim practice. The swim club exists on Schofield Barracks military installation at the discretion of the Installation Commander.

**Section 3**

This association is organized exclusively for charitable purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

**ARTICLE II – General Provisions**

1. The Installation Commander gives permission to operate and may revoke permission at any time.
2. Neither the installation nor the Government will have any liability for the Organization's actions or debts.

3. If assets are not enough to cover liabilities, all state and local jurisdictional laws will be met.
4. The SSSC will neither propagate extremist activities nor advocate violence against others or the violent overthrow of the government. The SSSC will not seek to deprive individuals of their civil rights.
5. The SSSC agrees to reimburse the Installation for utility expenses, unless the use is incidental and would cost more to bill and collect than to provide the utility.
6. No part of the net earnings of the SSSC shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the SSSC 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 1, Section 3 hereof. No substantial part of the activities of the SSSC shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the SSSC 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, the corporation shall not carry on any other activities not permitted to be carried on (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.
7. If required by state or local authorities, the SSSC will obtain licensing, certification, or registration for its activities.
8. The SSSC will comply with applicable laws that apply to private sector employment. The SSSC will not discriminate based on sex, age, religion, race, color, national origin, marital status, lawful political affiliations, labor organization membership, or physical handicaps.
9. The SSSC will not conduct activities in the name of the Installation or any organization of the Army establishment. The SSSC will not use the DoD letterhead on any of its transactions.

### **ARTICLE III – Membership**

1. Membership is limited primarily to active duty military personnel, retired members, members of reserve components, their family members, and civilian employees and their dependents.
2. Membership is open to all Parent/Guardians of Schofield Sharks Swimmers in good standing.
3. Persons may be admitted into membership at any time during the swim year. Each person seeking membership shall fill out a USA Swimming Registration form, a medical release form, and must register with Child, Youth, & School Services (CYSS). Additionally, parents and swimmers

must sign forms agreeing to the Codes of Conduct and all terms mentioned in the Schofield Sharks Swim Club Handbook.

4. The SSSC Board of Directors reserves the right to terminate membership of any Parent/Guardian for non payment of any fees, non participation, and any behavior that is deemed inappropriate to the goals and objectives of the Schofield Sharks Swim Club.
5. Swim Club members will be required to volunteer 12 hours per Long Course Season and 15 hours per Short Course Season. Volunteer opportunities may include, but are not limited to:
  - a. Swim meet volunteers (timing, officiating, hospitality, and any other needs asked for by the hosting team and Officials).
  - b. Swim-A-Thon (counting laps).
  - c. Banquet (set up, take down, reserving of facility, photo slideshow).

#### **ARTICLE IV – Officers and Governing Body**

##### **Section 1**

The Board of Directors shall be the governing body of the Schofield Sharks Swim Club, and will insure that the SSSC is operated in compliance with this Constitution and By-Laws, and applicable Army regulations.

##### **Section 2**

The Board shall have the responsibility of determining the policies and activities of the SSSC, and determining the utilization of the SSSC in accordance with Article III above.

##### **Section 3**

Voting members of the board shall consist of the President, Vice President, Secretary, and Treasurer. Non-Voting members will consist of Swim Banquet Coordinator, Swim-A-Thon Coordinator, and Awards Coordinator.

##### **Section 4**

The members of the Board shall be elected annually based on Membership. Interim replacements may be appointed by the President and approved by majority vote of the Board.

##### **Section 5**

Termination of office will be by written request with 30 days notice or by majority vote of the club.

## Section 6

Each member of the Board shall have one vote on matters concerning the SSSC. A quorum of 2/3 is required for any vote. Any issue requiring a vote between meetings will be discussed on email. Each member will vote via email using the "Reply All" option. The Board President shall vote only in the event of a tie. Each member of the Board shall serve without recompense. The duties of the Board are to approve and appropriate those items necessary to fulfill the objective of the SSSC as previously outlined. The duties of the individual board members are outlined herein.

1. President
  - a. Presides at SSSC meetings and serves as the spokesperson and representative of the SSSC.
  - b. Calls special meetings as required.
  - c. Makes appointments to fill vacancies as needed.
  - d. Signs monthly reports including minutes, financial statements, and other reports.
  - e. Prepares agendas for SSSC meetings.
  - f. Partners with Coaches in achieving the SSSC's Mission.
  - g. Sees that proper IRS papers are filed.
  - h. Is on the signature card for the SSSC bank account.
  - i. Collaborates with the Treasurer to prepare and monitor budget.
2. Vice President
  - a. Attends SSSC meetings.
  - b. Performs additional duties as designated by the President, subject to approval of the Board of Directors.
  - c. In the absence of the President, performs duties of the President.
  - d. Gives advance notice to the President of items he/she wishes to place on the agenda for Board discussion.
  - e. Is a voting member of the Board of Directors.
  - f. Makes sure the Club packet is kept current with DFMWR Schofield Barracks, Hawaii.
3. Secretary
  - a. Keeps a record of all Board Meetings and their proceedings.
  - b. Records the minutes of the meetings and submits a draft to the President for approval and signature. Names of those in attendance will be included.
  - c. Distributes the minutes via email within one week after the board meeting's date for review. If any revisions are submitted, will distribute the revised copy via email to the Board of Directors prior to the following meeting.
  - d. Presents the minutes for approval at the next Board meeting. Mails all correspondence as directed by the President.

- e. Keeps the monthly minutes available for viewing by interested parties. Forwards to the U.S. Army Garrison Hawaii one signed copy of the meeting minutes at the end of each quarter.
  - f. Maintains a roster of all Board Members and current swimmers.
  - g. Sends thank you notes to each contributor along with any other items they are to receive based on level of contribution.
  - h. Ensures that all contributors are accurately represented in any Ceremony of Events.
  - i. Is a voting member of the Board of Directors.
  - j. Gives advance notice to the President of items he/she wishes to place on the agenda for Board discussion.
4. Treasurer
- a. Keeps an accurate and itemized accounting of all receipts, disbursements, and supporting vouchers and records of the Association.
  - b. Presents the financial reports at the board meetings.
  - c. Prepares and monitors the budget in collaboration with the President.
  - d. Arranges for any auditing that may occur.
  - e. Reviews and initials monthly financial reports.
  - f. Forwards a copy of the financial statement to the U.S. Army Garrison Hawaii at the end of each quarter.
  - g. Has signature on file for purposes of review.
  - h. Maintains Checking and Savings accounts at Schofield Federal Credit Union.
  - i. Work with President to see that proper IRS papers are filed.
  - j. Is a voting member of the Board of Directors.
  - k. Is on the signature card for the SSSC bank account.
  - l. Will only issue reimbursements upon receipt of completed "Request for Reimbursement Form" with attached receipts.
  - m. Notifies members in August and March of volunteer hour status.
  - n. Collects any money due for volunteer hours buy out.
5. Swim Banquet Coordinator
- a. Sets the date for the banquet.
  - b. Reserves a location.
  - c. Organizes set-up and oversees volunteers for the event.
  - d. Coordinates with the Board of Directors to stay within budget.
  - e. Is a non-voting member of the Board.
6. Swim-A-Thon Coordinator
- a. Sets the date for the Swim-A-Thon.
  - b. Completes and mails out contract to USA Swimming.
  - c. Distributes Swim-A-Thon envelopes to families.
  - d. Is a non-voting member of the Board.

7. Awards Coordinator
  - a. Communicates with coaches to determine awards needed.
  - b. Purchases awards.
  - c. Coordinates with the Board of Directors to stay within budget.
  - d. Is a non-voting member of the Board.

#### **ARTICLE V – Planned Activities and Use of Funds**

1. The Schofield Sharks Swim Club provides incentives and support to the Schofield Sharks Swim Team.
2. Under the direction and with consent of the Board of Directors, Ad-Hoc committees comprised of personnel from the general membership will be formed on an as needed basis to plan, organize, and participate in fundraisers and/or social and moral-building events.
3. The SSSC must be a club that is financially self-sufficient. There will be fundraising events held throughout the year to obtain the necessary funds needed to meet expenses.
4. The SSSC will not solicit funds (no door-to-door) on any DoD base or installation.
5. Membership dues are to be paid annually.
6. Other finances will be obtained from fundraising activities and donations. Fundraisers will meet Federal, State, and/or Local laws as well as U.S. Military Regulations. No fundraisers will be allowed that duplicate or compete with AAFES or Services Activities.
7. Monies collected will be used for operation of the SSSC, to offset activity expenses, and to purchase necessary items based upon the annual budget approved by the organization membership.

#### **ARTICLE VI – Taxes**

The SSSC will comply with all Federal, State, and local tax laws and codes. In the event the SSSC receives more than \$25,000 in donations, the SSSC will file for Federal taxes in accordance with the applicable Internal Revenue Service guidelines.

#### **ARTICLE VII – USA Swimming Insurance**

The SSSC will obtain adequate insurance as protection against public liability, claims, property damage claims, or other legal actions arising from SSSC activities, one or more of the SSSC's members acting on its behalf, or the operation of any equipment, apparatus, or device under the control and responsibility of the SSSC.

The SSSC and its members are covered by a General Liability Insurance Policy, an Excess Liability Policy and an Excess Accidental Medical Insurance Policy. These

policies are provided by USA Swimming as part of the annual registration of individual swimmers, coaches, and the team.

**ARTICLE VIII – Audit**

The SSSC Board will arrange for an audit at least once every 2 years by appointing a committee of three SSSC members who hold no office, or by a qualified auditor. The Board will also arrange for an audit upon change of the Treasurer, regardless of the time elapsed since the last audit.

**ARTICLE IX – Meetings and Quorums**

Board of Directors Meetings shall be held monthly, Coaches Meetings with Board of Directors shall be held quarterly, and General Membership Meetings shall be held once a season. Special Membership meetings may be called at the discretion of the Board of Directors.

**ARTICLE X – Adoption and Amendments**

**Section 1**

This Constitution and By-laws may be amended by 2/3 of the Board members voting at a duly constituted meeting.

**Section 2**

The provisions of these By-laws become effective upon adoption by the Board and approval of the Installation Commander, or his designee.

**ARTICLE XI – Dissolution**

Upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

**APPROVED BY MAJORITY VOTE ON APRIL 11, 2011**

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Ann Gibson  
SSSC President

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Hilary Munger  
SSSC Vice President

Addendums made in October 2013

Item #5 under membership.

Item e, volunteer coordinator under Officers and Governing Body.

Addendums made in June 2014

ARTICLE IV, Membership, Section 5, volunteer hours changed to "27".

ARTICLE V, Officers and Governing Body, Section 6, President, added #8.

ARTICLE V, Officers and Governing Body, Section 6, Treasurer, added #10.

Addendums made in August 2014

ARTICLE IV, Membership, Section 5, removed food purchase and preparation counting as volunteer hours.

ARTICLE V, Officers and Governing Body, Section 6, President, added #9.

ARTICLE V, Officers and Governing Body, Section 6, Treasurer, revised #3 and added #11.

Addendums made in September 2014

Complete revision of Constitution and Bylaws.