

**BYLAWS OF
CITY OF MIDLAND AQUATICS Diving Booster Club**

ARTICLE 1.

GENERAL PURPOSES

Section 1.1 The general purposes of the City of Midland Diving Booster Club, hereinafter referred to as “Booster Club” shall be:

- a) To promote parental support of City of Midland Dive Teams and aid in the raising of funds to supplement the needs determined by the COM coaching staff and Booster Club
- b) To supply parental support and to enhance membership in the Competitive dive teams by sponsoring activities such as competitions, social events, clinics, recruiting efforts and other agreed upon enhancement activities.
- c) To recognize Divers who have achieved special honors and awards and provide appropriate recognition and publicity.
- d) To financially assist all recognized diving programs and activities as determined by the officers and voting membership of the Booster Club.

ARTICLE 2.

POLICIES

Section 2.1. The programs of the Booster Club shall be fund raising, conduct of competitions, promotion of the program, and social, and shall be developed through conferences, committees and/or projects.

Section 2.2. The Booster Club shall be noncommercial, nonsectarian and nonpartisan. The name of the Booster Club and the names of its officers in their official capacities shall not be used in any connection with a commercial concern or with any partisan interest or for any other purpose other than the regular work of the organization.

Section 2.3. The Booster Club may not seek to direct the administrative activities of COM or to control its policies.

Section 2.4. The Booster Club may cooperate with other agencies and organizations active in aquatics provided they make no commitments that bind the Booster Club beyond the current year. No agreements which bind the Booster Club or COM Aquatics may be signed without prior approval from the COM Board.

Section 2.5. The Booster Club will adhere to and follow all rules and regulations placed upon it by the COM bylaws and the State of Texas.

ARTICLE 3.

MEMBERSHIP

Section 3.1. Membership of the Booster Club shall be open to parents of competitive athletes and persons interested in the objectives of the organization.

Section 3.2. All members shall be voting members and agree to uphold the bylaws and policies of the organization.

Section 3.3. The membership year shall coincide with the calendar year.

Section 3.4. Payment of dues shall be a condition for membership. Dues may be assessed by the Booster Club.

ARTICLE 4

OFFICERS

Section 4.1. Composition. The officers of the Booster Club shall be the Chairman, First Vice-Chairman, Secretary, Treasurer, Assistant Treasurer, Fund Raising, Meets, Special Events, Volunteer Coordinator, Publicity, Recruiting, COM Board of Directors Representative and the Head Coach. The membership may also elect such other officers and assistant officers and agents as it may deem necessary to perform such duties as the membership may prescribe.

Section 4.2. Election. The officers, with the exception of the Chairman shall be elected by a majority vote of the membership present at the meeting of the election. The election of officers will generally occur at the regular meeting of the Booster Club in the spring of each year. Such election will occur by secret written ballot unless, by unanimous consent of the membership, the Chairman dispenses with written ballots for such election and does a hand count. The Chairman of the Booster Club shall be appointed by the COM Board of Directors.

Section 4.3. Term of Office: Officers shall be elected for one year and are limited to two continual terms in the same office.

Section 4.4. Duties. Officers shall assume their official duties at the next meeting following their election and shall serve for a term continuing until the last regular meeting of the membership of the following year and the election of their successors. No elected officer shall serve more than two (2) consecutive terms in the same office.

Section 4.5 The Chairman shall:

- a) Be the chief executive officer of the Booster Club and shall, in general, supervise and control its business and affairs;
- b) Prepare and distribute the agenda for, and preside at all meetings of the organization and the Executive Committee;
- c) Be a member ex-officio (non-voting) of all committees except the Auditing Committees and when needed to break a tie;
- d) Convene Executive Committee meetings when necessary; and
- e) Perform other duties as assigned by the Executive Committee.
- f) Be responsible for bringing all action of the Booster Club to the COM Board of Directors for review.

Section 4.6 The First Vice-Chairman shall:

- a) Assist the Chairman and perform the duties of the Chairman in his or her absence, or in the event of the Chairman's refusal or inability to act;
- b) Supervise and coordinate all activities of Standing Committees and ad hoc committees; and
- c) Perform other duties as assigned by the Chairman or the Executive Committee

Section 4.7 The Secretary shall:

- a) Keep the minutes and records of all the meetings of the Booster Club and other official business of the Booster Club, including a list of members in attendance;
- b) Have on hand, for reference at each meeting, a copy of the bylaws, Articles of Incorporation, Roberts Rules of Order, the agenda prepared for such meeting, the minutes of the previous meetings, and a list of all standing committees, fund raising committees, ad hoc committees and their chairpersons;
- c) Prepare a summary of each Booster Club meeting for distribution to the membership and for posting in a location accessible to any interested party;
- d) Shall have custody of the books and records of the Booster Club other than those normally in the custody of the Treasurer or those kept in record at the COM office and they shall be open to examination by the membership at all reasonable times, and
- e) Perform other duties as assigned by the Chairman or the Executive Committee.

Section 4.8 The Treasurer shall:

- a) Keep an accurate record of all disbursement requests, receipts and expenditures;
- b) Present a financial statement at membership meetings and at the request of the Executive Committee.

- c) Ensure that all organization funds are maintained in a bank or savings and loan association insured deposit account as directed by the Executive Committee;
- d) Chair the budget committee to create the next school years budget, members of which shall be appointed by the Executive Committee;
- e) Maintain financial records and file annually at the COM office
- f) Relinquish the books to the new treasurer - turn them over to the new Treasurer following Spring elections.
- g) Perform other duties as assigned by the Chairman or the Executive Committee.

Section 4.9 The Assistant Treasurer shall;

- a) Pay out funds in accordance with the approved budget as authorized by the membership, with the provision that all checks must be cosigned by another member of the Booster Club Executive Committee.
- b) Receive and deposit earned funds into the Booster Club Bank Account.

Section 4.10 Other Officers.

- a) Other officers shall be the Fundraising Chairman, the Meets Chairman, the Special Events Chairman, the Volunteer Chairman, the Publicity Chairman, the Recruitment Chairman and the Head Coach.

Section 4.11 Resignation. Any director may resign at any time by giving written notice of such resignation to the Board of Directors.

Section 4.12 Removal Any director, as well as any officer, may be removed from office by the unanimous vote of the Executive Committee of the Booster Club; provided, however, that the removal of a member of the Executive Committee must be approved by majority vote of the officers. Any such director shall not be entitled to vote on his or her removal.

Section 4.13 Filling Vacancies. Any vacancy of an office shall be filled by a majority vote of the Executive Committee to fill the un-expired term of Director or Directors whose office has been vacated. Any Director so appointed shall stand for election at the May general meeting of the membership, provided said Director is nominated by the Nominating Committee.

ARTICLE 5.

MEETINGS AND OPERATING YEAR

Section 5.1. Regular Meetings. The number, dates, and time of meetings shall be determined by the Executive Committee with agreement from the Head Coach. There shall be no less than eight (8) regular meetings a year. The Secretary shall, at least ten days prior to the annual meetings of elections and budget approval, give written notice of the date, place and time of the meetings generally provided to members in newsletters or other publications. Written notice stating the purpose or purposes of a meeting shall be given to members at least ten days prior to any regular or special meeting at which the members will be asked to consider approval of any amendments to the COM's Articles of Incorporation or these Bylaws.

Section 5.2. Conduct of Meetings. Meetings of the Booster Club's members shall generally be conducted in accordance with Roberts Rules of Order. Meetings shall be conducted by the Chairman and in his/her absence the Vice-Chairman and in his/her absence the Head Coach. Meetings shall not be conducted in the absence of all three. The presiding officer shall have the final decision on all matters of procedure.

Section 5.3. Voting. The Booster Club members present at the membership meetings shall constitute a quorum. Motions shall be carried by a majority vote of the Booster Club members present at a membership meeting. Quorum shall consist of no less than ten (10) members five (5) of whom must be officers (Diving seven (7) and three(3) in order to vote on matters of business.

Section 5.4. Operating Year. The fiscal year of the organization shall begin on December 31 of the same year.

Section 5.5. Attendance at Booster Club Meetings. Meetings of the Booster Club are open to any person who is interested in the activities of the Booster Club. However, the Chairman or, in the absence of the Chairman, the presiding officer at the Booster Club meeting, shall have the power to order the removal of any person who is disrupting the orderly conduct of business of the meeting. In addition, the Officers shall be entitled to go into executive session to consider any matter which the Officers believe to be of a sensitive nature.

ARTICLE 6.

COMMITTEES

Section 6.1 Chairmen. The chairmen of all standing committees shall be appointed by the Chairman of the Board with the advice and consent of the Executive Committee.

Section 6.2 Executive Committee. The Executive Committee shall be chaired by the Chairman of the Booster Club, with additional members to be the, First Vice-Chairman, Treasurer, Secretary and Head Coach. The Executive Committee shall

transact necessary business in the intervals between membership meetings and such other business as may be referred to it by the organization. Special meetings of the Executive Committee may be called by the Chairman or by a majority of the members of the Executive Committee. Decisions of the Executive Committee shall be carried by a majority vote of the members of the Executive Committee present.

Section 6.3. Committees and Appointments. The Executive Committee may designate standing and ad hoc committees which shall have such authority and responsibilities as may be delegated and assigned by the Executive Committee.

Section 6.4. Limitations of Authority. No committee or subcommittee and no member of such committee or subcommittee, shall have power or authority to bind or obligate the corporation without the express authorization of the Board of Directors. Each committee and subcommittee shall act as to the matters within its jurisdiction, and shall obtain the approval of the Executive Committee or Board of Directors before any business is transacted on behalf of the corporation, or any program instituted.

Section 6.5. Nominating Committee. The nominating committee for the officers of the Booster Club shall be chaired by the Chairman of the Booster Club with the additional members to be the Head Coach and at least two(2) officers and with the option of adding an additional member who is not an officer. The Nominating Committee shall present a slate of nominees, one for each vacant office.

Section 6.6. Finance Committee.

The Finance Committee shall be chaired by the Treasurer with additional members to be the Vice-Chairman, two officers of the Booster Club and with the option of adding an additional member who is not an officer. They shall prepare a budget for the upcoming year for approval at the September Booster Club meeting. Should the budget fail to pass, altered versions may be approved at subsequent meetings provided it is passed prior to the first of the year. The Budget should be available to members at least 10 days prior to any Booster Club meeting at which it will be voted upon.

- a) A proposed budget shall be presented annually by the Budget Committee.
- b) Each fund raising proposal will require designation as to how the funds are to be distributed. They shall be designated for a specific cause or designated to be placed in the general fund to be saved for future projects.

1. **Discretionary Fund**

The Discretionary Fund of the Booster Club shall be committed for use by the Head Coach. He/she shall have the discretion to use these funds in any way he or she sees fit provided that those funds are not used for his/her personal gain. Expenditures by the Coach shall be audited annually by the COM Board of Directors Executive Committee by October 1st of each year. This fund shall be funded by 20% of all funds raised by the Booster Club.

2. General Fund

i) Fund Raising.

This fund is established for general use by the Booster Club. Funds are raised through group or individual projects which are approved by the Booster Club and the COM Board of Directors Executive Committee. In situations in which time does not allow for Booster Club approval, approval by the Booster Club Executive Committee and the COM Board of Directors Executive Committee shall suffice.

ii) Fund Disbursements.

Moneys from this fund shall be distributed according to plan as approved by the Booster Club and the COM Executive Committee. If no disbursement plan was attached to a specific fund-raising project, then funds may be spent as approved by a majority vote of the Booster Club.

3. Other.

i. Funds raised for a specific project may be banked to individuals as points to be distributed for future events such as travel.

ii. All projects in which athletes earn points for participation must be presented with a distribution plan and approved by the Booster Club and Board of Directors Executive Committee.

iii.. Should an athlete drop from the team for a period of longer than 8 months, his or her points shall be forfeited back to the general fund for use by the booster club.

Section 6.7 The Fund Raising Committee

The Fund Raising Committee shall be chaired by an officer of the Booster Club with additional committee members to be 4 non officer members of the Booster Club.

a) The Committee shall plan and coordinate fund raising activities of the Booster Club. No fund raising activity for the benefit of the Booster Club shall be conducted without the prior approval of the Booster Club and the Executive Committee of the COM Board of Directors.

b) This committee shall be responsible for the planning and operation of the annual Splash-a-thon or replacement fund raising event for the benefit of the corporation

c) Fundraising projects listed below have been pre-approved by the COM Board of Directors as a means of raising funds for Booster Club purposes provided they fall within State and Federal guidelines. These items may not compete with budgeted items of the Board of Directors.

i. meet shirts (designated for sale at specific events or carrying the name of a specific event)

ii. concessions

iii. merchandise not sold in the COM Swim Shop or items not similar to merchandise sold in the COM Swim Shop.

iv.. raffles

- d) Projects not pre-approved by the Board must be submitted to the COM Board Executive Committee for approval.

Section 6.8 The Meets Committee shall;

The Meets Committee shall be chaired by an officer of the Booster Club with additional committee members to be 4 non officer members of the Booster Club. This committee shall be responsible for operation of all competitions.

Section 6.9 The Special Events Committee shall;

The Special Events Committee shall be chaired by an officer of the Booster Club with additional committee members to be 4 non officer members of the Booster Club. This committee shall be responsible for award banquets and other non-regular program events.

Section 6.10 The Volunteer Committee shall;

The Volunteer Committee shall be chaired by an officer of the Booster Club with additional committee members to be 4 non officer members of the Booster Club. This committee shall be responsible for preparing and distributing a team directory, recruiting team "Mom/Dad" for each workout group, and assisting other committees in obtaining volunteers for their activities.

Section 6.11 The Publicity Committee shall;

The Publicity Committee shall be chaired by an officer of the Booster Club with additional committee members to be 4 non officer members of the Booster Club.. This committee shall be responsible for coordinating production of the newsletter with the Diving Publicity Committee and the COM front office. It is also, responsible for promoting COM and for publicizing achievements of COM and COM athletes

Section 6.12 The Recruitment Committee shall;

The Recruitment Committee shall be chaired by an officer of the Booster Club with additional committee members to be 4 non officer members of the Booster Club. This committee shall be responsible for coordinating with the coaches to promote COM and recruit athletes.

Section 6.13. Other Ad Hoc Committees. The Executive Committee may from time to time designate one or more ad hoc committees with such responsibilities as the committee may determine. Each ad hoc committee will have either a specified duration or, if no duration is specified, shall continue indefinitely until it becomes inactive. Each ad hoc committee will consist of a chairperson appointed by the Executive Committee and any other persons selected by the chairperson who are interested in the activities of the Booster Club and who volunteer to become involved in the activities of that particular ad hoc committee.

Section 6.14 Limitations of Authority. No committee or subcommittee and no member of such committee or subcommittee, shall have power or authority to bind or obligate the corporation without the express authorization of the Board of Directors. Each committee and subcommittee shall act in an advisory capacity only as to the matters within its jurisdiction, and shall obtain the approval of the Executive Committee or Board of Directors before any business is transacted on behalf of the corporation, or any program instituted.

ARTICLE 7.

AMENDMENTS

Section 7.1 Amendments. These by-laws may be amended at any regular or special meetings of the membership by a two-thirds majority vote of members present and voting, and provided further that the members have been notified at least ten (10) days prior to such regular or special meeting that such amendment will be voted upon. Upon approval by the membership, all amendments must be approved by the COM Board of Directors.

ARTICLE 8.

SEVERABILITY/DISSOLUTION

Section 8.1 If any provision of these Bylaws is found, in any action, suit or proceeding, to be invalid or ineffective, the validity and the effect of the remaining provisions shall not be affected. In the event that the Booster Club is dissolved, all of its assets shall be distributed in accordance with the decisions or plan made by the COM Board of Director's Executive Committee.

These Bylaws were amended and restated by the members of the City of Midland Diving Booster Club on Month Day, 2003.

Signed by the Secretary of the Booster Club: _____

Date