

**Cumberland Valley Swimming and Diving Booster Club
By-Laws**

ARTICLE I-NAME

Section 1. The organization shall be known as the Cumberland Valley Swimming and Diving Booster Club. Whenever within these by-laws the abbreviation CVSDBC is used, it shall refer to the Cumberland Valley Swimming and Diving Booster Club.

ARTICLE II-OBJECTIVE

Section 1. The CVSDBC is organized and shall be operated exclusively for charitable and educational purposes. Notwithstanding anything to the contrary contained in these bylaws, no part of the net earnings of the CVSDBC shall inure to the benefit of or be distributable to its members, members of its Executive Committee, Representative Council, or other private persons, except that the CVSDBC shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distribution in furtherance of the purposes set forth in this Article. Notwithstanding any other provision of these Bylaws, the CVSDBC 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 of 1986 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States Internal Revenue Law).

Section 2. The purpose of the CVSDBC is to provide support and recognition to the Cumberland Valley Swimming and Diving Team, its athletes and coaches.

Section 3. Funds raised by the CVSDBC shall be used exclusively for the benefit of the Cumberland Valley Swimming and Diving Team athletes, coaches and Cumberland Valley School District athletic program. Funds may not be used for any other purpose.

Section 4. All activities sponsored by the CVSDBC shall be undertaken in its name and as its sole responsibility.

ARTICLE III-MEMBERSHIP

Section 1. Any person wishing to promote, support and give recognition to the Cumberland Valley Swimming and Diving team may be a member of the CVSDBC upon payment of dues.

Section 2. Membership is for a period of one year from November 1 through October 30.

Section 3. Members are expected to fulfill membership obligations including the payment of dues and participation in fundraisers.

Section 4. Members have the right to hold officer positions, speak and vote on all issues at meetings they attend.

ARTICLE IV-DUES

Section 1. Dues shall be used for the purpose of financing the annual operating budget as approved by the Executive Committee.

Section 2. The amount of annual dues per member shall be established by the Executive Committee.

Section 3. Annual dues are payable by the fourth Friday in November of each year.

Section 4. Members are not entitled to refunds after the team has been finalized.

ARTICLE V-OFFICERS

Section 1. The elected officers of the CVSDBC shall be:

- (a) President
- (b) Vice-President
- (c) Secretary
- (d) Treasurer

Section 2. The officers listed in Section 1(a)-(d) shall comprise the Executive Committee.

Section 3. Officers shall be elected at the end-of-season banquet/business meeting generally held in the Spring.

Section 4. The term of elected officers shall be for one year that begins after the end-of-season banquet/business meeting generally held in the Spring.

Section 5. Individuals may be re-elected; however no individual may serve more than four consecutive years in a single position. If an Executive Committee vacancy cannot be filled, the current Executive Committee Member may continue in their office until such time as the vacancy is filled.

Section 6. No person shall hold more than one office during a term.

Section 7. Should an officer not be able to fulfill his/her term for any reason, the Executive Committee shall seek a qualified person from the Membership to fill the vacated position. The person nominated by the Executive Committee shall be elected at the earliest possible meeting by a majority vote of the Membership present.

ARTICLE VI-DUTIES OF THE OFFICERS

Section 1. The President will preside at meetings, appoint committee members, and perform other customary duties of the office.

Section 2. The Vice-President will perform all the duties as may be delegated by the President. In the absence of the President, the Vice President will perform the duties and exercise the powers of the President. The Vice President will be a member of all committees.

Section 3. The Treasurer will be the custodian of all CVSDBC funds and perform the duties as outlined in Article XIII. The Treasurer shall function in accordance with Cumberland Valley School District Policy 915 (School-Related Organizations and Groups). The Treasurer shall provide an accounting of receipts and disbursements at each general membership meeting.

Section 4. The Secretary shall perform all duties customary of a club secretary and record and distribute meeting minutes.

Section 5. The Executive Committee shall approve the budget for all CVSDBC activities for the ensuing year.

Section 6. The Treasurer and at least one other officer shall be signatories on the CVSDBC bank account at all times.

ARTICLE VII-ELECTION OF THE OFFICERS

Section 1. The President of the CVSDBC shall appoint a Nominating Committee thirty (30) days prior to the scheduled election of officers. The Nominating Committee shall consist of three members.

Section 2. The Nominating Committee will be responsible for presenting a slate of officers to the membership forty-eight (48) hours prior to the scheduled election of officers.

Section 3. Any Member may nominate an individual for an officer position and a Member may self-nominate for any position. Nominations may also be made from the floor during the end-of-season banquet/business meeting generally held in the Spring.

ARTICLE VIII-REPRESENTATIVE COUNCIL

Section 1. The CVSDBC Executive Committee shall be assisted by the Representative Council appointed by the President in consultation with the CVSD Head Coach.

Section 2. The Representative Council shall be comprised of parents/caregivers of current team members as follows:

- one representative from the diving team
- no more than 2 representatives from the freshman class
- no more than 2 representatives from the sophomore class

- no more than 2 representatives from the junior class
- no more than 2 representatives from the senior class

ARTICLE IX-EXECUTIVE COMMITTEE MEETINGS

Section 1. The President may call an Executive Committee meeting at his/her discretion.

Section 2. A majority of the Executive Committee shall constitute a quorum.

Section 3. The Executive Committee shall conduct all necessary business between General Membership meetings.

ARTICLE X-GENERAL MEMBERSHIP MEETINGS

Section 1. The General Membership shall meet at least four times during the season, including the end-of-season banquet/business meeting generally held in the Spring.

Section 2. The Members in attendance at any regularly scheduled meeting shall constitute a quorum.

Section 3. Members who wish to have particular matters or topics presented at a General Membership meeting shall notify the Secretary in writing at least one (1) week prior to the meeting date for inclusion of the topic in the agenda.

ARTICLE XI-SPECIAL MEETINGS

Section 1. Special Meetings of the membership may be called by the Executive Committee at any time.

ARTICLE XII-BUDGET

Section 1. The Executive Committee shall develop and approve a budget for each fiscal year.

ARTICLE XIII-EXPENSES & PURCHASES

Section 1. The Treasurer shall maintain and make available financial records for all CVSDBC activities.

Section 2. The CVSDBC financial records shall be the property of the CVSDBC and shall be retained for a period of four (4) years.

Section 3. If applicable, the Treasurer shall be bonded at the expense of the CVSDBC.

Section 4. Expenses.

- (a) All expenses and purchases made by a purchaser on behalf of the CVSDBC must be approved prior to the expense or purchase being made.

(b) Any expense or purchase made by a purchaser for the CVSDBC that has not been approved by the executive committee shall be considered a donation to the club. Similarly, any expense or purchase made for the CVSDBC that exceeds the amount approved by the executive committee shall be reimbursed only for the amount approved; the remainder shall be considered a donation to the club by the purchaser.

Section 5. All receipts shall be submitted to the Treasurer within thirty (30) days of the expense or purchase date.

ARTICLE XIV- RECORDS

The CVSDBC shall keep correct and complete books and records of account, and shall keep minutes of the proceedings of the CVSDBC and Executive Committee. Records of the CVSDBC may be inspected by any Member for any proper purpose at any reasonable time.

ARTICLE XV-AMENDMENTS

Section 1. Amendments to the by-laws may be proposed in writing by any member of the CVSDBC or by a special committee designated to proposed by-law amendments or revisions.

Section 2. Adoption of amendments or revisions to the by-laws must be provided to the General Membership for examination and review at least thirty (30) days prior to the time action is to be taken on the revisions/amendments.

Section 3. A positive vote of a majority of the Members at a regularly scheduled meeting is necessary for the adoption of amendments or revisions to the bylaws.

ARTICLE XVI-CONFLICT OF INTEREST

No contract or other transaction between the CVSDBC and any other corporation, partnership, association, or other organization in which one or more of the CVSDBC's Members or officers are members, directors or officers, or have a financial interest, shall be void or voidable solely for such reason, or solely because the Member or officer is present at or participates in the meeting of the Members or Executive Committee which authorizes the contract or transaction, or solely because his or her votes are counted for such purpose, if (i) the material facts as to the relationship or interest and as to the contract or transaction are disclosed or are known to the Members or Executive Committee so acting and the Members or Executive Committee, as applicable, in good faith authorizes the contract or transaction by the affirmative votes of a majority of the disinterested Members or officers even though the disinterested Members or officers are less than a quorum; or (ii) the contract or transaction is fair as to the CVSDBC as of the time if authorized, approved or ratified by the Members.

ARTICLE XVII-DISSOLUTION

Upon the dissolution of the CVSDBC, the Executive Committee shall, after paying or making provision for payment of the liabilities of the CVSDBC, distribute all of the assets of the CVSDBC for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, with a preference being given to distribution to a Cumberland Valley School District affiliated organization designated for aquatic programs, provided that such organization is a non-profit which has established its tax-exempt status under Section 501(c)(3) of the Internal Revenue code. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE XVIII-PARLIAMENTARY AUTHORITY

The rules contained in Roberts Rules of Order, Revised, latest edition, shall govern the CVSDBC in all cases to which they are applicable and in which they are not in conflict with these by-laws.

Adopted: August 20, 2019