

By-Laws of the McHenry Marlins Parent Organization  
Adopted February 2, 2005 (Revised June 29, 2005)

Article I, Name  
Section I

The name of the organization shall be the McHenry Marlins Parent Organization hereinafter referred to as (MMPO).

Article II, Purpose  
Section I

The MMPO is an independent, nonprofit organization, which encourages and supports the McHenry Marlins Swim Team hereinafter referred to as (MMST). The MMPO supports the philosophy of the MMST, which is designed to teach competitive skills, enjoyment of the sport, and lifelong participation in swimming for the beginner and mid-level athlete.

Section II

No part of the net earnings of the organization shall inure to the benefits of, or be distributable to its members, trustees, officers, or other private persons, except that the organization 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 II, Section I hereof.

Article III, Membership  
Section I, Membership

All parents and legal guardians who have a swimmer on the McHenry Marlins Swim Team (NIWSC – Winter, NCISC – Summer) shall automatically be a member of the MMPO.

Section II, Termination of Membership

When a parent or legal guardian no longer has a child swimming on the McHenry Marlins Swim Team then membership in the MMPO shall be terminated.

Section III, Board of Directors

The organization's board of directors, or agents shall not discriminate on the basis of gender, race, religion, or national origin in the selection of its board members or in any aspect of its support of the MMPO and MMST.

Article IV, Board of Directors  
Section I, Selection of Directors

The Board of Directors shall be selected by a majority vote of those present at the annual membership meeting. The Board of Directors shall consist of four (4) members. The four (4) members shall be selected by a majority vote (majority defined as the person with the greater number of votes) of those present at the October membership meeting. The term for the four (4) members is one (1) year.

Section II, Election of Officers

At each annual October meeting of the MMPO there shall be elected those directors described in Article IV, Section I. By the end of the first week of practice in October, members of the MMPO shall indicate, in writing to a member of the current Board, his/her interest in serving on the Board of Directors, for the positions described in Article IV, Section I. The slate of candidates shall be presented to the MMPO and the election shall take place at the annual October parent meeting.

Section III, Voting

Any member in good standing of the MMPO is entitled to vote. Each family is entitled to one vote. A family unit is defined as multiple related persons, residing at the same address, regardless of the number of swimmers in that family. A candidate must receive a simple

majority of the total ballots cast to be elected. Voting can be by voice, or by ballot, if requested by any candidate or if there is more than one candidate for a position.

#### Section IV, Term and Qualification

All members of the Board of Directors must have a child that belongs to the MMST in the winter and summer swim season while that member serves on the board. All Directors shall serve a term of one year Commencing at the October Annual Meeting and ceasing at the following October Annual Meeting or until the first to occur of their resignation, and/or cessation of his/her child swimming for the McHenry Marlins Swim Team. Any person elected pursuant to Article IV, Section I may serve multiple terms, but no more than two consecutive terms.

#### Section V, Power and Duties

The Board of Directors shall manage the affairs of the MMPO, and shall exercise all of its powers, consistent with these By-Laws. The express purpose of the Board of Directors is to make decisions and/or act in a manner so as to promote the general well being of the McHenry Marlins Swim Team without conflict of interests or malice.

#### Section VI, Removal or Resignation of Directors

Any elected director may be removed for cause, upon notice of charges against that director given in writing by the board, at least twenty (20) days before action on his removal is taken. CAUSE FOR DISMISSAL: Situations may arise in which a Board Member's actions may not be in the best interest of MMPO or the McHenry Marlins Swim Team. In such instances, dismissal from the Board may be deemed necessary. Such instances may include, but are not limited to: serving on the Board of another club, failure to have children swimming with MMST (except during boys'/girls' high school season), using unflattering language when referring to the coach(es) or MMST in general, or conflict of interest (example: child swims on another swim team). Parents may call a meeting for removal of a board member by presenting written signatures of at least 20% of the voting members of the MMPO. Dismissal from the Board shall be by simple majority vote of the remaining members of the Board or by simple majority vote of a parent meeting. A quorum of the parent meeting for board member removal must be over 50% of the voting members of the MMPO.

The resignation of a director for any reason may be accepted by a majority vote of the Board of Directors.

#### Section VII, Quorum

A quorum for any meeting of the Board of Directors to conduct any business shall be two (2) directors.

#### Section VIII, Vacancies

Any Board Member who is absent from three (3) successive Board meetings may have his or her seat on the Board of Directors declared vacant by majority vote of the remaining Board Members. A vacancy on the Board of Directors may be filled for the unexpired term by any MMPO member elected by a majority of the remaining Board members.

#### Article V, Officers' Duties and Responsibilities

##### Section I, Officers of the Board of Directors

The officers of the MMPO shall be the President, Vice President, Treasurer, and Secretary as elected in accordance with Article IV. No person may hold more than one office simultaneously.

##### Section II, Duties of President (Co-Presidents)

The President or Co-Presidents shall preside at all meetings of the Board of Directors of the MMPO. The President(s) shall perform such other duties as are required by the Board. The President(s) shall sign on behalf of this organization all contracts or such other business documents as are required. The President's duties may also include being a co-signer on the accounts.

### Section III, Duties of Vice-President (Co-Vice-Presidents)

The Vice-President(s) shall perform all the duties of the President during the President's absence or disability. The Vice-President(s) shall also perform such other duties as may be assigned by the President(s). The Vice-President(s) shall perform such other duties as are commonly performed by the Vice-President of a voluntary organization. The Vice-President's duties may also include being a co-signer on the accounts.

### Section IV, Duties of Treasurer

The Treasurer shall receive all funds of this organization and deposit them in a bank account designated by the Board for the MMPO. The Treasurer shall review financial statements, and report to the Board on the financial status of the MMPO. The treasurer will arrange for year-end tax statements to be filed. The Treasurer may also be authorized by the Board to sign for financial documents if the President is not available to do so. The Treasurer's duties may also include being a co-signer on the accounts.

### Section V, Duties of Secretary

The Secretary shall conduct official correspondence, take minutes, and make a complete report of all matters pertaining to this office at official meetings. The Secretary shall be custodian of all minutes, books, records, papers, and files of this organization. The Secretary shall perform the usual duties of the office of Secretary as commonly performed by the secretary of voluntary organizations. The Secretary's duties may also include being a co-signer on the accounts.

### Section VI, Board of Director's Meetings

All meetings of the Board of Directors shall be open to the general membership. Discussions may be held in executive session if there are matters that would have an adverse effect on the club, or the subjects would tend to prejudice the reputation and character of any persons, and matters which, by law are required to be confidential. No vote may be taken during an executive session.

### Section VII, Committees of the Board of Directors

The Board of Directors shall have full power to constitute such committees, as it deems necessary or desirable to advise or assist it in the transaction of the business of the corporation. The members of such committees need not be Directors of the corporation. Each such committee shall have only the authority and responsibility which is expressly delegated to it by the Board of Directors at the time the committee is organized or from time to time thereafter.

### Section VIII, Volunteer Coordinators

The Board of Directors shall solicit volunteer coordinators as needed.

## ARTICLE VI, Parliamentary Procedure

### Section I

All questions of parliamentary procedure at any of the meetings of the Board of Directors, members or committees may be governed by Robert's Rules of Order, latest edition, if the board so decides.

## Article VII, Membership Meetings

### Section I, Semi-Annual Membership Meeting

The Board of Directors shall determine the location and time of the semi-annual membership meetings to be held in October and June prior to the first swim meet, as well as any special meetings.

### Section II, Special Meetings

The President may call a special parent meeting at any time by giving written notice in the swimmers mailbox with no less than seven days notice to the members. The members of the

MMPO may call a special parent meeting by giving written in the swimmers mailbox with no less then seven days notice to the members.

#### Article VIII, Photography and Web Site

##### Section I

Under no circumstances shall a minor's home address, telephone number, e-mail address, or other information be published which would allow a visitor to the McHenry Marlin's website to personally contact said minor.

##### Section II

Under no circumstances shall a minor's name appear with their photograph unless their parent or legal guardian has submitted a signed Authorization for Publication form.

#### Article IX, Amendment of By-Laws

##### Section I

The By-Laws of the organization may be changed by a simple majority vote of the members (as defined in Article III) in attendance at the meeting.