

# **CONSTITUTION**

## **OF THE**

### **SWIM TEAM PARENTS ASSOCIATION OF FORT LEAVENWORTH**

#### **ARTICLE I - NAME AND AUTHORITY**

Section 1: This Association will be called the "Swim Team Parents Association of Fort Leavenworth" hereinafter referred to as the "Association".

Section 2: The Association is established as a Private Organization under the provision of DoD Instruction 1000.15 and exists on the military installation at the discretion of and written consent of the Garrison Commander or his designated representative. Such consent is contingent upon the following requirements and conditions as appropriate:

- a. That programs and activities conducted do not prejudice or discredit the military service or other agencies of the United States Government.
- b. That activities are not conducted in the name of this Installation or any organization of the Army establishment.
- c. That neither the Army nor a non-appropriated fund as defined in AR 215-1 and its supplements will assert claim to the assets of the Association; nor will the Army or any non-appropriated fund incur any obligation on behalf of or assume any of the obligations of the Association.
- d. That the Association will not engage in activities which are in conflict with authorized activities or non-appropriated funds defined in AR 215-1.
- e. That the nature and authorized functions of the Association together with provisions for proper disposition of residual assets and liabilities upon dissolution will be established in the Constitution and by-laws, charter, or articles of agreement.
- f. That the Association is self-sustaining and receives no support assistance or facilities from the Army or from defined non appropriated funds in AR 210-9.
- g. That the Garrison Commander or his designated representative has the authority to enforce compliance by the Association with conditions enumerated herein, to inquire into their activities, and to withdraw his consent for its existence on this installation if deemed necessary in the opinion of the Commander.
- h. That the Association is and will be a financially self-sustaining non-governmental association, and is constituted, established and operated by individuals acting exclusively outside the scope of and official capacity as officers, employees, or agents of the Government. The Association is not established nor operated pursuant to authority vested in the Army or any official thereof.
- i. That the Association will neither propagate extremist activities nor advocate violence against others or the violent overthrow of the Government.
- j. That the Association will not seek to deprive individuals of their civil rights
- k. That the Association is responsible to ensure compliance with applicable local, state and federal laws and regulations, including tax laws, as set out in AR 210-22, para. 3-1(e).
- l. That the Association will not engage in the distribution or sale of alcoholic beverages at any time as directed by AR 210-22, para. 3-1(d).
- m. That the Association does not discriminate in its membership based on race, color, creed, sex, disability or national origin, as stated in AR210-22m para. 3-7(a).
- n. That the Association will not discriminate in its employment practices based upon sex, age, religion, race, color, national origin, marital status, lawful political affiliation, labor organization membership or physical handicaps as set out in AR 210-22, para. 3-7.

#### **ARTICLE II - OBJECTIVE**

Section 1: The objectives of this Association are to:

- a. Manage the overall administration, supervision, sponsorship, and guidance of the Youth Activities competitive swim program known as the Fort Leavenworth Lancers.
- b. Develop competitive swimming as a family activity.

c. Provide training in swim meet administration as a means to encourage parental participation and to maintain the high standards for meet administration expected by the Missouri Valley Association of USA Swimming.

Section 2: The Association is dedicated to the following principles of competitive swimming:

- a. Provide training and graduated levels of competition for as many swimmers as can be accommodated by the physical facilities and available coaching staff.
- b. Provide a wide base of experienced swimmers in order to contribute to the increased skills needed at the high school, college and senior levels of USA Swimming.
- c. Provide opportunities for social and emotional development.
- d. Provide a wholesome and worthwhile physical and recreational outlet.
- e. Provide opportunities for competitive swimmers to learn sportsmanship.
- f. Provide educational and team opportunities.
- g. Provide opportunities to learn good health habits.

### **ARTICLE III - MEMBERSHIP**

Membership in this Association is voluntary and consists exclusively of: parents, guardians, or military sponsors of members of the Fort Leavenworth Lancers Swim Team, a youth activity. Associate membership is open to interested adults who do not have children on the team.

### **ARTICLE IV - OFFICERS**

Section 1: Elected officers of the Association will be the President, Vice President, Treasurer and Secretary.

Section 2: Appointed officers are the Statistician, the Equipment Manager and the CGSC Representative. The President will appoint them. The Head Coach will be appointed an officer of the Association by virtue of position.

### **ARTICLE V - ADMINISTRATION**

Section 1: The Association will be administered in accordance with this approved Constitution, the By-laws of the Association, and other applicable directives under the supervision of the Board of Directors (hereinafter referred to as "the Board"). Unless otherwise provided herein or in the By-laws, all business will be conducted in accordance with Robert's Rules of Order.

Section 2: The Board will consist of the elected and appointed officers. All officers are voting members. If any two positions are held by members of the same family, only one of the members will be allowed to cast a vote on business presented to the Board.

Section 3: The Board will carry out the objectives of this Association by approving the transaction of its routine business in accordance with the approved Constitution and established policies and will make and enforce such By-laws as are necessary for the governance of this Association.

Section 4: The Board will have the fiscal and fiduciary responsibility for the procurement and maintenance of insurance coverage to the limit required by USA Swimming. The Association will maintain adequate insurance as protection against public liability, claims, property damage claims or other legal actions arising from Association activities. This includes incidents where one or more of the Association's members are acting on its behalf as well as the operation of any equipment, apparatus or device under the control and responsibility of the Association.

Section 5: The Association year will run from the date of installation of the officers in April to the next installation of officers the following April. The fiscal year and the membership year will run from 1 September through 31 August of the following year.

## **ARTICLE VI - ELECTIONS**

Section 1: The officers designated by Article IV, Section 1 of this Constitution will be elected from and by the membership of the Association at the Spring General Membership meeting for a term of one year. There is no pre-set limit to the number of consecutive terms any officer may serve.

Section 2: An elected officer may be removed from office upon a two-thirds majority vote in favor of a motion to that effect at a duly constituted meeting of the general membership. An appointed officer may be replaced by the President upon a majority vote in favor of a motion to that effect at a duly constituted meeting of the Board.

## **ARTICLE VII - MEETINGS**

Section 1: General Membership Meetings

- a. There will be two meetings of the general membership of the Association each year, one in the fall, no later than 30 September, and one in the spring, no later than 30 April. Other meetings may be called by the President or by written petition of 25% or more of the family membership.
- b. Notice of general membership meetings will be published at least 10 days in advance of the date of the meeting.
- c. General business may be conducted at any properly announced general meeting. Fifty-one percent (51%) or greater membership representation will compose a quorum.

Section 2: Board of Directors Meetings

- a. The Board will meet at least once per quarter as designated by the President. Quorum will consist of a majority of the members of the Board. The vote of the majority of the quorum present will govern.
- b. Special meetings of the Board may be called at the discretion of the President.
- c. Swim team representatives may be invited by the President to attend a Board meeting as deemed appropriate.

## **ARTICLE VIII - FINANCES**

Section 1: The revenue necessary to pursue the objectives described in Article II will be derived from dues paid by the active and associate membership and from revenue-producing activities entered into by the Association when required, approved and conducted under the guidance and supervision of the Board. All revenue-producing activities not confined to the Association membership will have prior approval of the Director of Community Activities, hereafter referred to DCA, if occurring on the installation.

Section 2: The dues of this association will be decided on annually by a vote of the members of the Board present and voting in a duly constituted meeting. No dues will be refunded upon departure or reassignment of any member.

Section 3: In no event will the United States Government be held liable, in fact or in spirit, for any indebtedness incurred by the members of this association. Association members will be held personally liable if the assets of the Association are insufficient to cover its liabilities. All state and jurisdictional laws will be met by the Association.

Section 4: The Board will expressly approve all expenditures essential for the operation of this Association, and will ensure that all disbursements are within the purpose for which this Association was established, in accordance with sound business practices, and within the budget.

Section 5: The Association will coordinate with DCA to reimburse the Army for utility expenses, unless use is incidental (would cost more to bill and collect than it costs to provide utility).

Section 6: The Board will submit its finances for audit upon the change of the Treasurer and at least every two years to comply with AR 210-22, para.3-3.

## **ARTICLE IX - PROPERTY**

The property of this Association will consist of such articles as may properly come into its possession. The Equipment Manager in accordance with sound business practices will account for the property.

## **ARTICLE X - RECORDS**

Section 1: The Association will maintain a historical file consisting of the following permanent records:

- a. The Garrison Commander-approved Constitution
- b. The current By-Laws of the Association
- c. The current Standard Operating Procedures (SOPs)

Section 2: The following temporary records will be maintained:

- a. Current list of members.
- b. Minutes of all meetings, general and Board of Directors, for the current year.
- c. Annual reports, audits, IG inspections.

Section 3: All records of this Association, excluding permanent files and the uncompleted checkbook, will be cut off at the end of the Association's fiscal year and held at least three (3) years; after which time they may be destroyed. The checkbook will be placed with related records when it is completed; using the applicable provisions of AR 340 series as a guide.

## **ARTICLE XI - AMENDMENTS OF THE CONSTITUTION AND BY-LAWS**

Section 1: Notice of Amendments to the Constitution must be made to the membership no later than 3 days prior to presentation for a vote at a regular meeting of the general membership.

Section 2: Amendments to the Constitution must be approved by:

- a. Majority vote of the Board members present and voting in a duly constituted regular or special meeting.
- b. Majority vote of the members present and voting in a duly constituted regular or special meeting of the general membership.
- c. The Garrison Commander or his designated representative.

Section 3: By-laws may be amended by a majority vote of the Board present and voting in a duly constituted meeting. A member desiring to propose an amendment will present it in writing with his/her signature to the Board. The Board will consider the amendment at its next meeting. The Garrison Commander or his designated representative must approve amendments to the By-laws.

Section 4: A Constitution review Committee will meet annually in January. This committee will review the Constitution and By-laws and report its recommendations to the Board in February. If amendments are necessary, notice will be given to the general membership in March.

## **ARTICLE XII - PROCEDURES UPON DISSOLUTION**

Upon dissolution of the Association by an affirmative vote of a majority of the general membership present, without any provision to meet again in the future, the funds of the Association, all residual assets and properties (after payment of all liabilities) will be disposed of in a manner consistent with Article I and so determined by a majority vote of the Board members. If liabilities exceed assets, each member will be assessed his/her pro-rated share for the remaining debt after assets have been liquidated and applied toward liabilities.

Steven E. Ramer  
President,

Date

Swim Team Parent's Association of Fort Leavenworth

**BY-LAWS**  
OF THE  
SWIM TEAM PARENTS ASSOCIATION OF FORT LEAVENWORTH

**ARTICLE I - PURPOSE**

The purpose of these By-laws is to establish procedures for the operation of this Association.

**ARTICLE II - DUTIES OF OFFICERS**

The duties of the officers will be those implied by respective titles, those prescribed by the Constitution of the Association, and those specified by these By-laws.

Section 1: President - The President will preside at any meeting of this Association and of the Board of Directors and will be a member (ex-officio) of all committees. (S) He will, with the Treasurer, sign all contracts and obligations authorized by the Association. (S) He will be the representative of the Swim Team Parents Association of Fort Leavenworth for all Youth Activities related matters. (S) He will dictate the creation, requirements, and dissolution of any committees required for the efficient operation of the Association. (S) He will represent the Association in the Missouri Valley USS and Mid America Swim League. (S) He will appoint three members of the Board of Directors: Statistician, Equipment Manager and CGSC Representative. (S) He will be responsible to the Board for the hiring and evaluation of the Head Coach.

Section 2: Vice President - The Vice President will assist the President and perform the duties of the President in his/her absence. (S) He will perform any other duties that the President may assign. Should the office of the President be vacated, (s) he will assume the duties of that office. (S) He will coordinate and track all necessary Association volunteer requirements. As directed by the Board, (s) he has authority to execute checks against the Association's account.

Section 3: Treasurer - The Treasurer will keep an itemized account of all receipts, disbursements, and all supporting vouchers and records. (S) He will collect all accounts receivable, such as dues and any other funds accrued by various committees. (S) He will disburse the Association's funds as may be directed by the Board, with the authority to execute checks against the Association's account. (S) He will present a financial report to the Board at each meeting. The record of account will be open to inspection by any member of the Association. (S) He will use the general provisions of AR 230-60 and AR 230-65 or a similar appropriate record-keeping system such as a combination journal-ledger, as a guide in maintaining the accounting records. (S) He will, together with the President, sign all contracts, obligations and disbursements authorized by the Board. (S) He will maintain individual family meet entry accounts as so directed by the Board. (S) He will present a written financial report at the last general meeting of the Association year.

Section 4: Secretary - The Secretary will maintain the records required by the Constitution and By-laws. (S) He will take minutes at any regular or special General membership or Board meeting and coordinate with the Board to have these published for the membership of the Association. (S) He will coordinate with the Board to ensure an accurate account of Swim Team activities is maintained for team records.

Section 5: Head Coach - The Head Coach will be primarily responsible for the training and education of the swimmers. (S) He will recruit other coaches as directed by the Board; however the Board will have the final hiring / contract authority with any assistant coaches that will be paid by the Association. (S) He will establish practice schedules, code of conduct and other matters related to coaching. (S) He will, with his/her assistants, determine the meets and events in which swimmers are to participate. (S) He will establish criteria for team selection at the start of each season based on available coaching staff and pool times. Criteria will be approved by the Board and will be in keeping with Article II of the Constitution.

Section 6: Statistician - The Statistician will have the responsibility to organize the maintenance of statistics for team members. (S) He will perform other duties as directed by the President. (S) He will be responsible for the following:

- (1) Maintaining the statistical database of individual swimmers and their information
- (2) Coordinating team entry cards, rosters, and fees to swim meet hosts in a timely manner.
- (3) Coordinating with the Treasurer for funds for meet entry fees.

Section 7: Equipment Manager - (S) He will maintain accountability of all property belonging to the Association. (S) He will perform other duties as directed by the President.

Section 8: Command and General Staff College (CGSC) Representative - The CGSC Rep is appointed to ensure that the needs of the one-year (student) swimmers are met. This position may be held concurrently by an official in another Board position as long as that person is associated with the Command and General Staff College. (S) He will undertake special projects as assigned by the President and will assist members of the Board and special or standing committees as required.

Section 9: With the exception of the office of President, whose succession is assured in this Article, vacancies occurring in any of the elected offices will be filled by the Board with a majority vote of the members present and voting in duly constituted meeting.

Section 10: The Board will have the following duties in addition to those specified in the Constitution or elsewhere in the By-laws.

- a. Responsibility for all contractual agreements for coaching positions
- b. Fiscal responsibility for the execution of the annual Association budget
- c. To assist the coaches in dissemination of meet information and other administrative information as required
- d. To assist members in arranging for purchase of team suits and associated equipment.
- e. To conduct periodic meet official training clinics.
- f. To organize and supervise home swim meets and to coordinate support for conduct of away meets.
- g. To assist Youth Activities in the registration of swim team members at Post Activities Information and Registration (PAIR) Day and throughout the year and in the collection and deposit of related funds.

### **ARTICLE III - STANDING AND SPECIAL COMMITTEES**

Section 1: Standing and special committees may be created, changed or abolished at the direction of the President with the approval of the Board.

### **ARTICLE IV - MISCELLANEOUS OPERATING PROCEDURES**

Section 1: The President will have the authority to conduct a vote by telephone or electronic mail (e-mail) of the voting members of the Board in the event of the requirement of an immediate decision of such urgency as to preclude a called meeting per Article VII, Section 2b of the Constitution. A majority of the Board members must be polled. A majority vote of those members polled must be rendered to reach a decision. A telephonic vote must be administered by the President. Each voting member must be informed that this is a voting procedure and must be read the motion with dispatch. All telephonic or electronic votes are to be reflected in the minutes as stipulated in Article II, Section 4 of the By-laws. The minutes will include the wording of the main motion, the names of those voting members who could not be contacted and an exact accounting of the vote.

Section 2: At the end of the Association year, all outgoing officers and the chairperson of any standing and/or special committee will submit to the Board a written continuity report detailing the on-going activities and any pertinent information for the incoming officer; with one copy for the incoming President, one copy for the appropriate officer and/or committee chairperson and one copy for the Association files.