

Huntington Beach High School Aquatics Booster Club, Inc. By-Laws

PREAMBLE

The Huntington Beach High School Aquatics Booster Club, Inc., hereafter known as HBHSABC is a nonprofit public benefit corporation, organized under the Nonprofit Corporation Law of California (“California Nonprofit Corporation Law”) for charitable purposes of HBHS Aquatics programs. Specifically, HBHS Aquatics is comprised of boys and girls, water polo, swim, and dive programs at Huntington Beach High School.

Mission Statement – To promote the health and welfare of the HBHS Aquatic Athletes. We support a coach facilitated program by providing support to the coaches and school administrators to develop a successful aquatic program.

SECTION I – PURPOSE

- A. The HBHSABC is a nonprofit and nonpartisan organization with the charitable purposes described in Section IV.
- B. The HBHSABC or its members shall not engage in any activities or exercise any powers that are not in furtherance of the purposes described in Section 1A.
- C. The HBHSABC may not carry on any activity for the profit of its Officers, Directors or other persons or distribute any gains, profits or dividends to its Officers, Directors or other persons as such.
- D. The HBHSABC does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations. These activities include, but are not limited to, selection of volunteers and vendors, and provision of services. HBHSABC is committed to providing an inclusive and welcoming environment for all with the overarching goal for the welfare and care for all student-athletes participating within the programs supported by the HBHSABC.

SECTION II – MEMBERSHIP & CONTRIBUTIONS

- A. All aquatic athletes, prior and newly intended, who are “enrolled” (pursuant to HBHS District regulations and policy) at HBHS for the academic year and their families shall be considered members of HBHSABC.
- B. Payment of voluntary donations shall not be a condition of participation in HBHS aquatic sports and shall not be considered by the HBHSABC, any HBHS Aquatic coach or HBHS administrator in determining the level of participation of any student athlete.
- C. The primary funding for all HBHSABC are the contributions/donations of student athletes participating in an aquatic sport at HBHS. The student athlete requested donation is imperative for aquatic sport to exist.

- D. The HBHSABC and the specific head coach shall determine the requested monetary donation per athlete, based on the approved budget, at the beginning of each season.
- E. The HBHSABC will follow the attached “Annual Program Budget Formation Guidelines” when developing each Program’s Annual Budget.
- F. The HBHSABC will maintain five (5) checking accounts.
- Main Account for general business
 - Program Account for Boys Water Polo
 - Program Account for Girls Water Polo
 - Program Account for Boys Swim
 - Program Account for Girls Swim
- G. Each of the four (4) “Programs” (Boys Polo, Girls Polo, Boys Swim, Girls Swim) will have their own Budgets and separate Checking Accounts.
- H. All Donations to a specific Program will be maintained for the use of that specific Program.
- I. The HBHSABC Board can recommend (Majority vote required) the transfer of Funds from one Program to another with the approval from the Head Coach of the Program transferring the funds.
- J. No Funds from one Program may **NOT** be used for another Program without the approval of the Head Coach and a Majority Vote of the Board.
- K. Each Program will Annually pay their “1/4 Share” of the HBHSABC operational expenses. This expense will be in each of the Programs Budget and represented in each Program’s Budget as a line item of – “Op X Cost”. Op X (Operation Costs) are as follows.
- Annual Filing and Bookkeeper Charges
 - Annual Insurance
 - Annual Cost of Banking Software
 - Annual State 501 c(3) statement
- L. The HBHSABC shall collect and serve as the repository for all donations and shall distribute all funds for the sole purpose of promoting each sport.
- M. In the event of private or corporate Donations which are above and beyond “athlete participation donations” they shall be accepted by the HBHSABC within the provisions 503 (c) (1) Federal regulations and also in accordance with district policies.
- N. Donations, be they Public or Private/Anonymous Donations shall not be accepted with promise, real or inferred, that may effect the level of participation of specific student athlete(s).

SECTION III - VOTING ELIGIBILITY

- A. All aquatic athletes, prior and newly intended, who are “enrolled” (pursuant to HBHS District regulations and policy) at HBHS for the academic year and their families shall be considered voting members of the HBHSABC beginning the first day of school of that academic year.
- B. A quorum of no less than three (3) Executive Board members is required for voting. There is no minimum quorum for the voting membership.
- C. Each family receives one vote, regardless of the number of athletes and/or aquatics sports the athlete participates in.

- D. Voting members must be present and may not proxy or absentee vote.
- E. All voting requires a simple majority for approval.

SECTION IV – GOVERNMENT

The HBHSABC shall be a self-governing non-profit organization defined by these by- laws and administered by its duly elected officers and voting members.

- A. All Executive Board Members must review and acknowledge the by-laws on an annual basis. Their acknowledgement confirms their commitment to uphold and abide by the rules of the HBHSABC.
- B. All Executive Board Members shall review and acknowledged the HBUHSD Code of Responsibility on an annual basis. Their acknowledgement confirms their commitment to uphold and abide by the rules of the HBUHSD.
- C. The Officers required to have Transactional Financial Responsibility are as follows: President, Treasurer, and Secretary are all required to be approved signers on the bank account. Each check/draft requires two of the three signatures.
- D. Any amendment to these by-laws may be proposed by a majority vote of the Executive Board at any time, or by a petition signed by 25% of the total voting membership.
- E. Executive Board meeting shall be held at least twice each season and announced by the Secretary or by the President. The President may call Emergency meetings as necessary.
- F. The HBHSABC general meetings shall be held at least once per season at a time and place that will be set by the Executive Board.
- G. Notices for meetings, elections, and/or a by-law amendment proposal will be sent to membership with 10-day notice and via the use of electronic mail, or, posting on the website.
- H. The HBHSABC shall be comprised of Five (5) Elected Executive Board Members. The following elected officers, shall constitute the Executive Board:
 - Board Member – Liaison Boys Water Polo
 - Board Member – Liaison Girls Water Polo
 - Board Member – Liaison Boys Swim Team
 - Board Member – Liaison Girls Swim Team
 - Treasurer
- I. The aforementioned positions are non-compensated positions and are served by the voluntary efforts of each individual serving specific position.
- J. The minutes for each meeting of the HBHSABC shall be recorded by the Secretary. The minutes will be approved at the following meeting and posted for public review thereafter.
- K. The HBHSABC Treasurer shall provide an account report on all balances held by the HBHSABC at each Executive and General Board meeting. This shall include a report summary of all completed transactions since the last report.
- L. Administrative business of the HBHSABC shall be vested in the Executive Board, which has the fiduciary duty of the funds held in all the HBHSABC accounts.

- M. Any appropriations or requests for appropriations over \$100 shall be approved by a majority of the Executive Board, unless already established in the Program's Annual Budget as a line-item expense. (Spending guidelines apply).
- N. Prior to the start of the academic year the HBHSABC Treasurer shall prepare an annual budget for each aquatic program for the coming academic year in accordance with the attached "Annual Program Budget Formation Guidelines".
- O. The annual budget shall be approved by a majority vote of the Executive Board.
- P. The Huntington Beach High School Aquatics fiscal year is July 1st – June 30th.

SECTION V - ELECTIONS

- A. In order to be eligible for an Executive Board position, a member must have a student that is "actively enrolled" (pursuant to HBHS District regulations and policy) at HBHS for the academic year on the HBHS swim or water polo teams.
- B. For any member to be eligible to run for the position of "Board Member – Liaison Position", said member must have a Student in that Program.
- C. All eligible members are eligible to run for the Treasure as this is a Direct Elect position.
- D. No member may run for more than one Executive Board Position.
- E. Executive Board positions shall be elected annually and prior to the end of the academic school year.
- F. The HBHSABC shall be comprised of Five (5) Elected Board Members. The following elected officers, which shall constitute the Executive Board:
 - Board Member – Liaison Boys Water Polo
 - Board Member – Liaison Girls Water Polo
 - Board Member – Liaison Boys Swim Team
 - Board Member– Liaison Girls Swim Team
 - Board Member Treasurer – Direct elect.
- G. Each Year the five (5) Board Members via majority vote will select from the four (4) elected Liaison Positions the following 2 appointments.
 - President
 - Secretary
- H. At the end of each fiscal year, in preparation for the up-and-coming year, the Board will solicit and receive Nominations for the four (4) Board Member – Liaison Positions and will verify that the Nominee has a student in that said Program
- I. At the end of each fiscal year, in preparation for the up-and-coming year, the Board will solicit and receive Nominations for Treasure Position.
- J. A board member may serve in the same position for more than one year if approved by a simple majority of the voting membership at the election meeting as long as the member meet the eligibility criteria.
- K. There is no limit to the total time board members may serve.
- L. Any elected officer or appointed committee chairperson may resign at any time by giving written notice to the Executive Board.

- M. Should a dispute arise between any parties, including disputes between the Executive Board Members, Coaches, and/or general membership individuals, in which resolution cannot be met, all disputes shall be mitigated by the HBHS Administration or Athletic Director for resolution.
- N. The HBHS AD has the authority to remove any Elected Board Member Liaison for "Cause".
- O. The AD will advise all members of the Board via Email that said Board Member Liaison is to be removed for "Cause".
- P. Any removal of a Board Member Liaison by the AD will take place 7 Calendar Days from date of notice.
- Q. The Treasure can only be removed by unanimous vote of all current Board Member Liaisons.
- R. The Executive Board is responsible for appointing annual committees and chairpersons as needed. Individual committees shall meet as necessary. Committee chairpersons are responsible to solicit committee members and orchestrate meetings to complete the intended functions of the committee. Committee chairpersons are responsible to update the Executive Board at the regularly scheduled meetings.
- S. The President may fill an open Liaison Position by appointment (eligibility gridlines apply). An open mid-term Treasure Position requires majority Vote of the Seated Board.

SECTION VI - ETHICS

All members of the HBHSABC Board of Directors or members or of any committee thereof, have a duty to be free from the influence of a conflicting interest when they act on behalf of HBHSABC or represent it in negotiations.

- A. No member of the HBHSABC, the Board of Directors or member of any committee thereof, shall accept from any person, directly or indirectly, whether by himself or herself or through his or her spouse or a member of his or her family or through any partner or business or professional association, any gift, favor, service, employment or offer of employment or any other thing of value with the intent to influence him or her in the performance of his or her duties as a member of the HBHSABC Board or committee thereof.
- B. Specifically, an Executive Board member of the HBHSABC shall not be an employee of, an owner, or a board member in any other water polo or swim club.
- C. Duty To Disclose: In connection with any actual or possible conflict of interest, an interested person or person believing existence of, must disclose the existence of the possible conflict interest and be given the opportunity to disclose all material facts to the HBHSABC Executive Board member.

SECTION VII – DUTIES OF OFFICERS

Duties of the Appointed President

- The President shall preside over the Executive Board.
- The President shall preside over general meetings of the HBHSABC.
- The President shall work in close coordination with the coaches for the welfare of the HBHSABC.
- The President shall work in close coordination with each executive board member.
- The president has the authority to appoint a vacant the board member position.
- Shall act as the Webmaster or will appoint a Webmaster.
- Secondary Signer of Checks

Duties of the Appointed Secretary

- Shall record and secure the minutes of each HBHSABC meeting and secure locations for the monthly meetings.
- Shall be responsible for correspondence concerning the HBHSABC.
- Shall provide copies of meeting minutes to the Webmaster for posting on the website.
- Shall obtain board approval of minutes at subsequent HBHSABC meetings.
- Secondary Signer of Checks

Duties of the Direct Elected Treasurer

- Shall keep up-to-date financial records including spreadsheets or online records containing all active participant payments.
- Shall make and present monthly financial statements and provide a report for review at each meeting.
- Shall make an annual financial report summarizing the previous fiscal year.
- Shall put forth a budget for each upcoming year.
- Shall record all fundraising receipts from the Fundraising events and concessions in the monthly reports.
- Shall be responsible for all checking accounts, annual state filings, taxes, state forms.
- Responsible to pay annual insurance policy.
- Monthly rectify all bank accounts
- Monthly account access and updates for online programs – Quick Books, Team link, Stripe.
- Create and track online payments, program registrations and
In coordination with the President, handle all aquatics scholarship issues such as disseminating application forms, establishing qualifications and scholarship amounts and obtaining executive board approval.

Duties of the Direct Elected Program Liaisons

Executive Board Member – Liaison for each Program

- Shall attend HBHS ABC Executive Board Meetings and General Membership meetings.
- Other assigned shared duties of the Executive Board – Pies, Banners, Gear Store, Webpage, Plaques, etc.
- Shall work directly with the Head Coach to assist and facilitate the following activities.
- Liaison will solicit assistance for program membership as needed.

As it pertains to the program Team Gear Store

- Shall be in charge of all organization efforts associated with the notice of ordering of team gear from the “Team Store”.
- Will work with the Head Coach to establish required gear on the team store.

As it pertains to the program annual Banquet

- Plan and coordinate annual fundraising banquet and ensure that all necessary assistance is acquired for these events.
- Submit a preliminary budget for each banquet to the Executive Board prior to each banquet.
- Coordinate with the Treasure to collect all payments of participants attending.

As it pertains to the program Team Dinner and Alumni Game

- Help plan and organize the Team Dinners as needed.
- Help plan and organize the Alumni Game as needed.

As it pertains to the program Team Parent

- Shall meet with the respective aquatics Head Coach and set a mutually agreeable schedule to conduct team photography requirements.
- Assist with respective aquatics Head Coach to distribute a flier detailing the cost and schedule information for each team photography event.
- Shall keep a current list of all aquatic athletes and their contact information.
- Shall communicate with the Webmaster to ensure the website has current information, practice, and game schedule, posted.
- Help find volunteers to assist as needed.
- Remind parents about meeting and events and deadlines.
- Assist in fundraising programs.

SECTION VIII – Conclusion and Attachments

Irrespective of any and all statements contained in these By-laws, with valid cause and with a simple majority vote of the Executive Board Members and concurrence of the Athletic director, all inclusive, the HBHSABC Executive Board has the right to dissolve the HBHSABC and utilize funds remaining in the treasury for the best use of the aquatic's programs. Should the HBHSABC be dissolved, funds in each Program Account will be utilized for the benefit of said Program.

This document with any subsequent amendments, revisions, and deletions constitutes the duly approved By-Laws of the HBHSABC.

Attachment 1 - "Annual Program Budget Formation Guidelines"

Attachment 2 – "Snack Bar Use Guidelines"

Approved by the HBHSABC membership the 3rd day of November 1996.

Amended on February 9, 1997, April 7, 2003, September 27, 2005, April 5, 2011 and October 6, 2011, March 6, 2012, May 7, 2012, and October 7, 2013.

Amended by the HBHSABC Executive Board on 5th day of June 2023

