

Escondido Figure Skating Club

**Escondido Figure
Skating Club**

***DBA:
The North County FSC***



By-Laws

**BY-LAWS OF THE
ESCONDIDO FIGURE SKATING CLUB
Amended May 15, 2010**

Mission Statement

The Escondido Figure Skating Club (Escondido FSC) has been organized to promote and support Figure Skating and its participants. It is our mission to provide technical support for Club skaters and Club officials in the form of test sessions, practice sessions, competitions and critiques, monitored by U.S. Figure Skating officials.

As part of the Escondido FSC support policy, we will provide the capital equipment for harness training, quality audio equipment for club events and clothing identifying our competitive skaters as members of the Escondido FSC. Further, it is the policy of the Club to provide financial support for skaters advancing through qualifying competitions.

The Club considers that it is equally important to encourage and offer opportunities for entry level skaters by means of practice sessions and other club sponsored special training sessions.

**Article I
Members**

Applicants for membership must be willing to support the policies and objectives of the Escondido Figure Skating Club.

All those who have been admitted to the Club shall be deemed to have agreed to be bound and to abide by the By-laws and regulations of the Club and resolutions approved by the Board of Directors.

Section 1. Classifications of Membership

A. Home Club Membership

- 1) **Senior Member:** 18 years of age or older with full voting rights and privileges of the Club.

- 2) **Junior Member:** Under 18 years of age and entitled to a vote on Club matters as exercised by a Parent or Guardian.
- 3) **Collegiate Membership:** Home Club member attending a 4-year college. Proof required. This membership is a one-time option, is valid for four (4) consecutive years, and has full voting right and privileges of the club.
- 4) **Parent/Guardian/Grandparent Member:** Inactive or non-skater family member of a Junior or Senior actively skating. This membership has full voting rights and privileges of the Club.
- 5) **Life Member:** Membership conferred by unanimous vote of the Board of Directors for distinguished service. Such member receiving this high honor is exempt from payment of dues and has all rights and privileges of the Club.
- 6) **Honorary Member:** Membership conferred by unanimous vote of the Board of Directors for rendering service deemed worthy to the club, including U.S. Figure Skating Officials. Such member will be exempt from dues for the given year of an Honorary membership. This membership has full voting rights and privileges of the Club.

B. Supportive Membership

Supportive Members shall receive the U.S. Figure Skating membership card and U.S. Figure Skating magazine publications. Member may not vote or serve on the Board of Directors.

C. Second Club Membership

Second Club Members shall have skating privileges, but may not vote or serve on the Board of Directors.

Section 2. Termination of Membership

A. Resignation

Any member resigning from the Club must pay all dues and other fees due, including those for the fiscal year in which resignation is tendered. The person resigning shall clear any indebtedness and forfeit all rights and claims of every nature whatsoever to or against the Club, its property, funds, Board of Directors and their agents.

B. For Non-Payment

Membership privileges may be terminated for non-payment of fees.

C. For Cause

At the written request of, and based upon verified charges submitted by a Club member, the Board of Directors, by a two-thirds vote of the entire Board, may, after a hearing, suspend or continue a suspension of any member for just cause.

Notice of final action shall be mailed to the member's address of record by registered mail. Such member shall have the right to appeal to the Board of Directors. Such appeal shall be made in writing, to the Club Secretary, by registered mail, within 30 days of receipt of the Board's action.

Article II **Fees and Assessments**

Section 1. Fiscal Year

The Club's fiscal year shall run from January 1st of the current year to December of the current year, or until the Board of Directors adopt a different fiscal year.

Section 2. Dues

Membership fees, registration or other fees, and the annual dues shall be established by the Board of Directors. The annual dues are payable on July 1st and shall become delinquent on July 2nd for each year. A late fee will apply after July 31st.

Article III **Governance**

Section 1. Board of Directors

A. Composition

The Board of Directors will consist of nine senior members:

Officers: Four

President, Vice-President, Secretary, and Treasurer

Directors: Five

All Officers and Directors must be a Home Club member of the Escondido Figure Skating Club. In addition, the President must have served on the board Directors for at least one (1) year.

B. Quorum

Five members of the Board of Directors shall constitute a quorum for any meeting of the Board of Directors.

C. Terms of Office

The President, Vice-President, Secretary, Treasurer, and the Directors shall be elected for a term of two years, or until their successors are elected. The President shall not hold that office for more than two consecutive terms. The elected Board members shall take office at the close of the Annual Meeting.

D. Vacancies

The Board of Directors shall fill any vacancy occurring among the Officers or Directors without any undue delay by electing an eligible successor. The successor will serve out the term of the person being replaced.

E. Authority of Board of Directors

1) President: The President shall preside at all meetings of the Club and Board of Directors and has the authority to call special club and Board meetings, form or dissolve committees, and appoint or remove committee chairs, subject to approval of the Board of Directors. The President shall be an ex-officio member on all committees, except the Nominating Committee. The President has the authority, together with the Secretary or one other Officer, to sign all agreements and contracts for the Club.

2) Vice-President: The Vice-President shall perform all duties of the President in the absence or unavailability of the President and shall oversee the control and inventory of all Club property.

3) Secretary: The Secretary shall record minutes and retain records of all Board of Directors meetings, be responsible for all official correspondence and issue notice of all meetings. The Secretary shall be responsible for updating the EFSC bank account signature authorization card whenever a new club officer is elected to the Board of Directors, an officer resigns from the Board of Directors or a newly elected officer successor is approved by the Board of Directors. The standard duties of the Secretary are subject to the control of the Board of Directors. In the absence of the Secretary, the President may appoint an Acting Secretary.

4) Treasurer: The Treasurer shall have charge of the Club funds and shall be bonded. The Treasurer shall receive and deposit all Club monies in a bank or Trust Company as the Board of Directors may designate. The Treasurer will keep accurate records of all financial activity of the Club and shall pay the Club's obligations which are approved in a Budget or by the Board of Directors and/or upon receipt of a completed approved check request. Expenditures not budgeted will require ratification at the next Board meeting or by email before payment. No signatory may be the

beneficiary of a check. Any expenditure requires the signature of the Treasurer and a second Club Officer. In the absence of the Treasurer, two of the remaining club officers are authorized to sign checks. Whenever requested by the Board of Directors, the Treasurer shall render a full financial report of the Club's financial status. The Treasurer will provide all financial records, accounts, papers, vouchers, and other records for a yearly audit. Upon completion of term of office, the Treasurer shall promptly turn over all financial records and reports to the successor.

5) Directors: The Directors shall, along with the Club Officers, develop Club policies for all Club activities. They may chair committees and are expected to interface with the General Membership to promote Club objectives and programs.

Section 2. General Duties of Board of Directors

A. Rules

The Board of Directors has the authority to establish and enforce rules for its own procedures, for appointed committees and for the use of the Club's property.

B. Meetings

1) Board of Directors: There shall be a monthly meeting of the Board of Directors. The time and place of this meeting shall be determined by the President. The Notice of Meeting will include an agenda set by the President. Members of the Board of Directors may also set agenda items

2) Annual Meeting: An Annual Meeting for members shall be held in the month of May or no later than 30 days thereafter. A Notice of Annual Meeting shall be mailed to all members at least five weeks prior to meeting. Full reports will be presented by the President and Treasurer. Election results will be announced. Revisions ratified will be announced.

3) Special Meeting: The President or the Board of Directors may call a Special Meeting or upon written request of ten voting members. A Notice of Meeting and business to be considered shall be mailed to all Club members at least two weeks prior to the meeting.

C. Financial Reviews

The Audit Committee shall review the financial records annually, during the month of August of each year and report findings and/or recommendations to the Board of Directors. The Board of Directors may require the services of a Certified Public Accountant.

D. U.S. Figure Skating Governing Council Delegates

The Board of Directors shall elect Delegates to the U.S. Figure Skating Governing Council, following established U.S. Figure Skating policies. The President shall appoint Delegates to the Governing Council, subject to the ratification by the Board of Directors.

E. Email Correspondence

Email may be used to arrive at Board of Directors' decisions necessary between formal monthly meetings. The email is to be copied to the Board and the results included in the Secretary's Minutes.

Article IV **Elections**

Section 1. Purpose

Elections will be held for the purpose of selecting a President, Vice-President, Secretary, Treasurer and/or Directors. Candidates must be 18 years of age or older and a Home Club Member in good standing.

Section 2. Nominations

A. Nominating Committee

The Committee will consist of three Senior Home Club members. Two shall be from the Board of Directors and one from membership at large. The President will appoint the Chair.

B. Duties of Nominating Committee

Select nominees and report to the Secretary no later than six weeks prior to the date of the Annual Meeting the names of members placed in nomination.

C. Other Nominations

Nominations from the membership at large may be made in writing, signed by two members in good standing, and delivered to the Secretary at least six weeks prior to the Annual Meeting.

D. Publication of Nominees

The Secretary shall publish the names of the nominees with the Notice of Annual Meeting at least five weeks prior to the date of the meeting.

Section 3. Ballot Voting and Tabulation

A. Method

Election of Officers and Directors shall be by ballot mailed by the Secretary to eligible voters no later than three weeks prior to the Annual Meeting. A sealed ballot must be returned to the Secretary by the election deadline date, as noted on the ballot, but no later than 10 days prior to date of the Annual Meeting.

B. Committee of Tellers

Three Senior Home Club Members, who are not on the ballot to be tallied, will be appointed as Tellers by the Board of Directors. This committee is responsible for counting only sealed, unopened ballots received from the Secretary. The results will be tabulated and the election of Officers and Directors announced at the Annual Meeting.

C. Retention

All ballots shall be retained by the Secretary for a period of 30 days following the Annual Meeting.

D. Tie Votes

In the event of a tie vote for any Officer or Director's position, a follow-up ballot shall be taken at the Annual Meeting to resolve the tie. Only those names involved in the tie vote shall appear on the follow-up ballot.

E. Valid Election

A plurality of votes is necessary to elect.

Article V **Committees**

Guidelines for committees or advisors will be established and reviewed periodically by the Board of Directors for content and regulations. Such Guidelines will be in the possession of the Secretary, and a copy given to Chair or Advisor.

Section 1. Permanent Committees and Chairs

The President shall appoint the Chair of a Permanent Committee. Only a senior member in good standing is eligible for appointment as a Chair. The Committee Chair shall choose the members to serve on the Committee, with the approval of the Board of Directors

- A. Audit
- B. Competitions
- C Grants

- D. Membership
- E. Tests

Section 2: Other Committees, Chairs or Advisors

As needed, other Committees, Chairs or Advisors may be appointed by the President, with the approval of the Board of Directors.

- A. Fundraising
- B. Newsletter Editor
- C. Sanctions
- D. Sessions
- E. Junior Council

Article VI **Financial**

Section1: Treasurer

The Treasurer shall establish and maintain all Club financial records and has the authority to establish procedures for the financial tracking of Club accounts. The Treasurer is to provide a detailed report of Club financial status at each Board of Directors' meeting.

Section 2. Club Accounts

The Club shall maintain the following separate accounts:

A. General Fund

The General Fund is for the general operation of the Club and related expenses. All general fundraisers, test fees, membership fees and donations shall be deposited into this account.

Assistance may be provided to Home Club competitors advancing through qualifying competitions. This assistance shall be administered by the Board of Directors.

B. Junior Council Fund

The Junior Council will raise its own funds to use as authorized by its separate rules. Funds from the Club can also be allocated, with approval of the Board of Directors. A Senior Home Club member will be appointed as an Advisor to this Council.

The EFSC Treasurer will open a separate Junior Council bank account for events the Junior Council holds that benefit any charitable causes other than those of the Club. Any checks disbursed must be signed by the Sr. Advisor and any one of the 4 club officers.

Article VII
Revisions to By-laws

Section 1. Proposals and Date of Ratification

A. By the Board of Directors

The Board of Directors may, by a two-thirds vote of those present at a Board of Directors regular meeting, propose revisions to By-laws and set date for ratification. The Board of Directors must present the proposed Revision to all members with voting rights for ratification.

B. By Membership at Large

Revision to By-laws may be proposed in writing, signed by ten Home Club Members for submission to the Board of Directors. A parent or guardian must sign for a Junior Member who wishes to promote such a proposal. The Board of Directors must present the proposed Revision to all members with voting rights for ratification.

Section 2. Method of Ratification

A. Mail Ballot

For each proposed Revision, the ballot shall include the following choices:

- a) Accept the proposed Revision(s) in italics.
- b) Reject the proposed Revision(s) in italics.

The Secretary shall mail a copy of the proposed Revision and a ballot to each member no later than five weeks prior to the ratification date.

Section 3. Tabulation of Votes

A. Committee of Tellers

Ballots shall be tabulated by a Committee of Tellers consisting of three Senior Home Club members appointed by the Board of Directors. This committee is responsible for counting only sealed, unopened ballots received from the Secretary and shall report the results to the Board of Directors. Notice of ratification will be announced at the Annual Meeting.

B. Requirement to ratify

A favorable two-thirds vote of all ballots received shall be required to ratify a proposed Revision.

C. Retention for the Record

All ballots shall be retained by the Club Secretary for a period of 30 days following the ratification date.

Article VIII
Membership in U. S. Figure Skating

The Escondido Figure Skating Club shall maintain its membership in U.S. Figure Skating and conduct its affairs consistent with the Association By-laws.

Article IX
Club Policy Statement on Abuse and Harassment

The Escondido Figure Skating Club, in conjunction with U.S. Figure Skating policy, strives to provide a safe environment for its members and to protect the opportunity of its members to participate in our sport in an atmosphere that is free of harassment and abusive practices. The Club will not tolerate or condone any form of abuse or harassment of any of its members including officials, directors, parents, athletes, coaches and volunteers - or any other persons - while they are participating in or preparing for a figure skating activity or event conducted under the auspices of U.S. Figure Skating.

Article X
Conflict Resolution

If any member(s) has a complaint against another member(s) for an infraction of any bylaw or rule other than the Technical Rules in the then current U.S. Figure Skating Rulebook, the member(s) may submit the complaint in writing to the Board of Directors. The member(s) complaint will be investigated and efforts will be made to resolve it according to the Club's conflict resolution policy.

It is first strongly suggested that the member take reasonable steps to resolve the matter informally directly with the party who is the subject of the complaint. If these efforts fail and the member desires the club to address the matter, the following procedures shall be followed:

The member should submit a brief and signed written statement of their complaint to the club's current President or Vice President. This statement should specify the nature of the conflict as well as the specific parties and issues involved including all pertinent facts, the efforts previously taken to resolve the matter, and the requested action or a proposed resolution. If the complainant is a Junior member, their complaint must be co-signed by that member's parent or guardian.

The Complainant will be required to submit a \$45.00 administrative fee to the Club at the time of the submission of their written complaint.

The Board will review the complaint, notify the respondent(s) and offer him/her time to submit a written reply setting out his/her position and any proposed resolution. The failure of the respondent to submit a written response shall not be deemed an admission of any matters stated in the complaint.

The member's complaint will first be mediated to explore the possibility of a mutually agreeable resolution. One member of the club's Board of Directors will be selected to be mediator and contact the parties to schedule a mutually convenient time for mediation. Any failure by the Complainant to cooperate and/or attend the mediation process shall bar further action by the club.

If the mediation does not result in a mutual agreement by the parties, then any party can request a determination by a conflict resolution panel of 3 board members to be selected by the club President. This panel shall be convened only to the extent necessary. All reasonable attempts will be made to avoid any conflicts of interest on the panel.

Each party will be given the opportunity to present his/her side to the Conflict Resolution Panel on such terms as set by the Panel in their discretion.

The Panel will determine, by majority decision, how to resolve the dispute and is authorized and empowered to take any reasonable action necessary to resolve the matter and in the best interest of the Club which could include but is not limited to the recommendation of suspension or expulsion from Club in accordance with Club Bylaws, dismissal of the complaint or recommendation of resolution under U.S. Figure Skating Grievance rules and procedures. A decision in writing will be prepared and delivered to each party. All members retain their appeal rights under U.S. Figure Skating Grievance rules and procedures.

The Panel will treat all conflicts with discretion and some or all portions may be kept confidential depending on the nature and circumstances. The Club Secretary shall keep internal record of all complaints and documents, including determination. Such records will not be available except upon the U.S. Figure Skating Grievance Committee's request, if and when an appeal occurs.

These Conflict resolution proceedings are intended to be consistent with any rules and policies of U. S. Figure Skating then in effect concerning conflict resolution policies.

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