

Aqua Tutus Diving Club

Constitution & By Laws



President's Signature / Date



Vice President's Signature / Date

Aqua Tutus Diving Club
Constitution and By Laws

Article I - Name

Aqua Tutus, a non-profit corporation.

Article II - Purpose

To further the sport of skin and SCUBA diving in a safe manner to members only.

To promote water safety in underwater sports to members only.

To create a better understanding of the sport of skin and SCUBA diving by the general public.

To secure legislation favorable to the sport of skin and SCUBA diving.

To serve as a charitable and educational organization as reflected by Article XII.

Article III - Membership

Section 1 - Regular Member:

- A) Optional membership in Cen-Cal.
- B) Receive The Aqua Tooter Newsletter.
- C) Full voting privileges.
- D) Does not have to be a diver.
- E) May become an Officer of the Club.
- F) May become an Instructor, if qualified.

Section 2 - Associate Member:

- A) Must be a member of a family in which one member retains regular membership in the club.
- B) Has full voting privileges.
- C) May be an Instructor, if qualified.
- D) May not hold office, except that of Board Member-at-Large.

Section 3 - Student Member:

- A) Must be currently attending a recognized and accredited academic institution.
- B) Must have valid student ID.
- C) Must attend at least half-time.

Article IV - Officers

Section 1 - Scope

President, Vice-President, Secretary, Treasurer, Membership Coordinator and Director of Training.

Section 2 - Conditions of office:

- A) Must be a regular member in good standing.
- B) President, Vice-President and Director of Training must be divers.

Section 3 - Term of Office:

- A) One calendar year.

Aqua Tutus Diving Club
Constitution and By Laws

- B) All officers, except the Director of Training, term out after two years, but if no other candidate is available, they may stand another year. There is no term limit for the Director of Training.

Section 4 - Duties:

- A) Duties are described in the document titled "Aqua Tutus Diving Club Board of Directors, Elected Member and Volunteer Coordinator Duties". Duties may be modified by the incumbent officer with Board of Directors approval.
- B) The Vice-President shall assume all the duties of the President when necessary.

Article V - Nominations and Elections of Officers

Section 1

A "Nomination Committee" shall be composed of the Board Members-at-Large and activated during the month of September.

Section 2

A slate of nominees will be presented at the October General Meeting. Nominations may be made from the floor at this meeting or at any General Meeting prior to the elections.

Section 3

Elections will be determined by the person receiving a plurality of votes at the General Membership meeting in November.

- A) A plurality is defined as: The person receiving the most votes.
- B) Voting to be by ballot for contested positions .
- C) Voting to be by hand count for uncontested positions or slate of candidates.

Section 4

New officers will assume their duties in January.

Section 5

- A) The Club will maintain and support the position of "Director of Training", including a succession plan for this role.
- B) Annually, club members will vote for the Director of Training. Candidates must be endorsed by the Board of Directors, prior to the election.
- C) The Director of Training must be a Certified SCUBA Instructor in good standing with certifying agencies for courses taught. Candidates must have demonstrated, in the context of Club participation, effective interpersonal, safety and teaching skills to the satisfaction of the BOD.
- D) The Director of Training is authorized by the BOD to provide diving, emergency responder, and related training to club members and interested non-club members.
- E) The Director of Training shall not hold an elected Club office simultaneously.

Article VI - Board of Directors

Aqua Tutus Diving Club
Constitution and By Laws

Section 1

The Board of Directors will be made up of six elected officers (President, Vice-President, Secretary, Treasurer, Membership-Coordinator and Director of Training), three elected Members-at-Large, Past President, Newsletter Editor, Webmaster, Entertainment Coordinator, and Social Media Coordinator.

Should Newsletter Editor, Webmaster, Entertainment Coordinator, or Social Media Coordinator be elected to an office in the Club, they may hold both offices simultaneously. However, they will carry only ONE vote on the Board.

All members of the Board are voting members.

Section 2

- A) Election of Members-at-Large will be in June of each year, term of office to be from July 1 to June 30 of the following year.
- B) Nominations for election of same to be made at the May General Membership Meeting each year and reopened at the June meeting prior to election by ballot.
- C) The three persons receiving a plurality of votes, by hand count, are elected.

Section 3

The Board of Directors will have the authority to conduct Club Business between General Membership meetings.

- A) The subsequent BOD meeting will be announced at the General Membership meeting.
- B) Emergency meetings may be called by a quorum of the Board Members, one of which will be an elected officer.
- C) A report of business is to be published in the Club newsletter in a timely manner. Issues requiring Club approval are to be presented for discussion and/or approval at the General Membership meeting following the BOD meeting.

Section 4

A quorum shall consist of a simple majority of Board Members present.

Section 5

- A) The Board may select an Alternate to replace any officer (other than President, see Article IV, Section 4, Sub section B.) or Board Member for any reason to serve the remainder of the term.
- B) Any Board Member-at-Large who misses three Board meetings without adequate reason may be replaced by the Board of Directors.
- C) An Officer may be replaced for just cause by a majority vote at a General Membership meeting upon recommendation by the Board of Directors.

Article VII - Meetings

Section 1

Aqua Tutus Diving Club
Constitution and By Laws

Regular monthly meetings will be held the first Thursday of each month unless otherwise announced, with the exception of the December meeting which will be set at the November meeting or before.

Section 2 – Definitions:

- A) Quorum -- Members present, but not less than twenty (Except Article X, Section 3).
- B) Voting -- Plurality of hand count will determine decision (Except where ballot is specified and in Article X, Section 3).

Article VIII - Dues

Section 1

A revision of dues will be made by the Board of Directors and General Membership not later than the first regular meeting of the year. The proposed dues amount is to be voted on by the General Membership at the January meeting.

Section 2

Dues are to be paid as of January 1 of each year and considered delinquent as of April 1 of each year.

Article IX - Book of Policies and Procedures

Section 1

Resolutions, Rules, Policies and Procedures of a permanent nature which are binding will be maintained by the Club Secretary in addition to this Constitution and By Laws.

The chronology of past and current Rules, Policies and Procedures is written in the document titled "Aqua Tutus Diving Club Rules, Policies and Procedures".

Section 2

These "Rules" will be compiled from previous minutes, previous by laws, previous constitutions, and all committee policies.

Section 3

These "Rules" may be rescinded or modified at any meeting of the group to which they pertain by a plurality of hand count.

Article X - Amendments

Section 1

Proposed amendments are to be submitted to the President and Secretary in writing.

Section 2

Proposed amendments are to be published in the Aqua Tooter Newsletter the month prior to voting.

Section 3

Proposed amendments are to be approved by a two thirds majority of hand count at the next General Membership meeting following publication.

Aqua Tutus Diving Club
Constitution and By Laws

- A) Quorum shall be a minimum of 75% of members present at the previous monthly General Membership meeting.
- B) If this quorum is not present at the meeting selected for voting, voting will be delayed another month, at which time a two-thirds majority of hand count of those present will suffice for approval.

Article XI - Authority for Proper Conducting of Business

Section 1

Parliamentary authority not covered in this Constitution and By-Laws and/or Book of Rules and Procedures shall be to the presiding Officer's and/or Board of Directors best knowledge of any parliamentary procedures, and shall not permit any particular person or group to impose their will on the Club by using strict rules as a weapon. Please keep in mind that we are chiefly a recreation group and should spend our time and energy in connection with this pursuit.

Article XII – Requirements to be exempt as an Organization Described in section 501(c) (3) of the Internal Revenue Code

Section 1. Said organization is organized exclusively for charitable, educational, or scientific purposes, including, for such purposes, the making of distributions to organizations that qualify under section 501(c) (3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Section 2. No part of the net earnings of the organization shall inure to the benefit 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 the purpose clause hereof.

Section 3. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

Section 4. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c) (3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c) (2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Section 5. Upon the dissolution of the organization, assets shall be distributed 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, or shall be distributed to the federal government, or to a state or local government, for a public purpose. 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 organization 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.