

CONSTITUTION AND BYLAWS
KENNEDY SPACE CENTER SKIN AND SCUBA DIVING CLUB, INCORPORATED

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PREAMBLE:

"We, the members of the Kennedy Space Center Skin and SCUBA Diving Club, Incorporated, do organize for the mutual recreation and pleasure of skin and SCUBA diving."

CONSTITUTION:

ARTICLE I Name

Section 1. We shall be known as the "Barracudas Dive Club."

ARTICLE II Officers

Section 1. The officers of the Kennedy Space Center Skin and SCUBA Diving Club, Inc. shall consist of a President, Vice President, Secretary, and a Treasurer. Eligible candidates shall be members in good standing.

ARTICLE III Duties of Officers

Section 1. The President shall:

- a. preside at all general club meetings and all Executive Board meetings.
- b. be Chairperson of the Executive Board.
- c. appoint the Chairpersons of the major committees, fill Executive Board pro tem vacancies, and call any extra business meetings as deemed necessary.
- d. perform the duties of the Vice President in the latter's absence.
- e. perform such other duties as the office of the President may require.

Section 2. The Vice President shall:

- a. oversee and coordinate the efforts of all major committees.
- b. perform the duties of the President in the latter's absence.
- c. perform such other duties as the office of Vice President may require.

Section 3. The Secretary shall:

- a. keep the minutes of all general club meetings.

- b. keep the minutes of all Executive Board meetings.
- c. be responsible for maintaining a copy of the current membership list.
- d. record a monthly report of attendance at meetings which shall be for record purposes.

Section 4. The Treasurer shall

- a. keep an accurate account of all financial transactions of the club.
- b. be responsible for all funds of the club, receive and disburse all money, subject to the will of the Executive Board.
- c. maintain a checking account for disbursement of all funds at a local bank.
- d. make disbursements by check only.
- e. sign all checks and ensure that all checks are countersigned by the President or Vice President or Secretary.
- f. maintain accounts and render monthly financial statements of the club.
- g. prepare the financial records for audit at midterm and end of accounting year by a committee selected by the Executive Board.

ARTICLE IV Executive Board and Committees

Section 1. There shall be an Executive Board and committees.

Section 2. Executive Board

- a. The President, Vice President, Secretary, Treasurer, the previous year's President, and the Chairpersons of the committees shall constitute the Executive Board. If the previous year's President is unable to serve, no substitution shall be made.
- b. The Executive Board shall decide on all expenditures, promotion of activities, and the general government of the club.
- c. The Executive Board shall meet once each month prior to the first general meeting of the month. Date and time of the Executive Board meeting shall be set by the President.
- d. The Executive Board shall be authorized to make temporary appointments to the Board for special purposes.
- e. The Executive Board shall have the power to appoint subcommittees for any purpose and shall delegate to such subcommittees such powers as the Executive Board may deem desirable.
- f. The Executive Board shall, subject to the Constitution and Bylaws, have power to deal and act in all manner and ways as they may in their absolute and uncontrolled discretion deem fit, keeping in mind the interests of the club as a whole.

Section 3. Committees

- a. A committee shall consist of a Chairperson and any members who wish to volunteer for that committee.
- b. The Chairperson shall arrange for the committee duties and the committee as a whole shall plan the activities for which the committee was appointed.
- c. Subcommittees may be formed at any time by the Chairpersons of the major committees to carry out the various phases of the club activities.

ARTICLE V Meetings

Section 1. Regular general meetings shall be held once a month, the date and time to be determined by the Executive Board.

Section 2. Special general meetings may be called for any specific purpose by the Executive Board, or by a requisition signed by four members in good standing. A special general meeting shall be called within one month of the requisition and no other business but that for which it was called may be voted upon.

Section 3. The annual general meeting shall be held before the 31st day of October to receive the annual report, the statement of accounts, install officers, and conduct such other business as may be necessary.

Section 4. The Executive Board may cancel or reschedule a general meeting for a given month if the customary meeting date for that month as determined in Article V, Section 1 conflicts with a national holiday.

ARTICLE VI Amendments

Section 1. This Constitution and Bylaws or any part therein may be amended by the submission in writing of a proposed amendment at any regular or special meeting of the club. The proposal shall be debated at the next regular or special general meeting of the club, providing Article VI, Section 3 is not violated.

Section 2. A two-thirds majority of the membership casting ballots shall be required to pass an amendment, provided that at least 50 percent of the members eligible to vote cast ballots.

Section 3. Written notice of the meeting and the full subject of the change shall be mailed to each member prior to the meeting at which the amendment is debated.

Section 4. Voting on amendments shall be done by secret ballot. The ballots shall be mailed by the Executive Board to all members in good standing before the date the amendment is to be debated, in time to assess their return prior to the next meeting following the debate of the change.

ARTICLE VII Rules of Order

Club meetings and regulations shall be governed by Robert's Rules of Order, except as modified by this Constitution and Bylaws. The President shall keep a copy of this document in his or her possession.

ARTICLE VIII Incorporation

The Kennedy Space Center Skin and SCUBA Diving Club, Inc. is a Corporation for charitable and philanthropic purposes incorporated under the provisions of Chapter 617 of the Florida Statutes. The Corporation is an independent entity and is not an organizational subelement of any other organization.

BYLAWS:

ARTICLE I Membership

Membership status in the club shall be governed by the following:

Section 1. Full Membership

- a. A full member shall be defined as any certified SCUBA diver who adheres to Attachment D of Kennedy Management Instruction (KMI) 1150.7E, Paragraph 1.b, and who meets the requirements of Article VI, Section 1 of these Bylaws. Anyone meeting these requirements shall be eligible for full membership in the club.
- b. A full member shall be accorded full voting rights and responsibilities as defined in Article III and Article IV of these Bylaws.

Section 2. Subscribership

- a. A subscriber shall be defined as any certified SCUBA diver in the community who meets the requirements of Article VI, Section 1 of these Bylaws, but who falls outside the definition provided in Attachment D of KMI 1150.7E.
- b. A subscriber shall be accorded voting rights and responsibilities as defined in Article III and Article IV of these Bylaws.

Section 3. Honorary Membership

- a. An honorary member shall be defined as anyone who deserves such recognition for services rendered to the club or to the diving community in the name of the club.
- b. An honorary member shall not be eligible for elected or appointed office, nor have the power to vote on any issue brought before the Executive Board or general membership.
- c. The duration of an honorary membership shall be at the discretion of the Executive Board.
- d. Nominations for honorary membership may be submitted to the Executive Board in writing or verbally at an Executive Board meeting by any sponsoring member in good standing in the club.

Section 4. Dues and Fees

- a. Schedules:
 - i. The duration of a membership or subscribership shall be for one calendar year, beginning on January 1 and ending on December 31.

- ii. For renewing members and subscribers, the membership renewal open season shall open on January 1 of the renewal year and shall close at the end of the general meeting scheduled for the March of the renewal year.
- iii. For new members and subscribers, the membership open season shall extend throughout the entire year, with the following provisions:
 - 1. New members and subscribers joining the club between January 1 and June 30 shall be assessed the set annual dues and fees.
 - 2. New members and subscribers joining the club between July 1 and December 31 shall be assessed the set annual dues and fees. New memberships and subscriberships granted during this period shall remain active through the end of the current renewal year and the following renewal year.
 - 3. All dues and fees shall be waived for the renewal period described above for any new member or subscriber who can prove that he or she has successfully completed an open water certification course from a recognized SCUBA certification agency within six months prior to applying for membership or subscribership.
- b. Dues and Fee Calculations:
 - i. All initiation, annual renewal, and postage dues and fees shall be set by the Executive Board.
 - ii. The Executive Board shall post all dues and fees in a publicly accessible place for viewing at any time.
 - iii. The Executive Board shall publish all dues and fees a minimum of once per year in the club's official publication.
 - iv. The Executive Board shall review dues and fees on a periodic basis as it deems necessary.
 - v. Proposals for amendments to dues and fees shall require written notice of intent to be distributed to all club members and subscribers in good standing.
 - vi. Amendments to dues and fees shall require a two thirds majority Executive Board vote.

Section 5. Application

- a. Application for membership shall be made in writing.
- b. The Executive Committee may hold over any application until they are satisfied that all necessary requirements have been fulfilled.
- c. The Executive Committee shall determine an applicant's eligibility for membership based on his or her application and shall notify him or her of their decision within 30 days of submission of the application.
- d. A new applicant must provide proof that he or she is a certified SCUBA diver

with the membership application form when that form is submitted to the Executive Committee for consideration for membership.

ARTICLE II Quorum

Section 1. Twenty percent of the number of club members shall constitute a quorum.

ARTICLE III Election of Officers

Section 1. The President, Vice President, Secretary, and Treasurer shall be elected at the annual meeting.

Section 2. All elections shall be by secret ballot. The nominee receiving the majority of the votes cast shall be declared elected. In the event no nominee receives a majority of the votes cast, a run-off election shall be held between the two nominees receiving the greatest number of votes.

Section 3. Elected officers shall hold office from annual meeting to annual meeting.

Section 4. Special elections shall be held by secret ballot. Ballots shall be prepared and mailed to club members. The special election shall be scheduled consistent with the nearest Barracudas general meeting which will permit adequate time for members to return election ballots.

Section 5. If only one nomination is received for an office, the nominee shall be formally declared elected.

Section 6. No member is eligible to hold more than one elected office per year.

ARTICLE IV Suspension or Expulsion

Section 1. Definitions

- a. Suspension of an elected officer shall entail removal of that officer from his or her post in the club. A special election as defined in Article III, Section 4 of these Bylaws shall be held to elect an officer to replace the suspended officer.
- b. Suspension of a member shall entail forfeiture of membership in the club for a period of one year. The suspended member shall not be allowed to participate in any club activity for that time. At the end of the year, the suspended member may reapply for membership as a new member.
- c. Expulsion of a member shall entail permanent forfeiture of membership in the club. The expelled member may not, under any circumstance, participate in further club activities, nor may he or she reapply for membership at any time.

Section 2. Any officer may be removed by a two-thirds majority vote of the members in good standing present at any special meeting called for this purpose. No vote on suspension or expulsion may be taken unless at least 15 days notice in writing shall have been given to the officer with reasons for his or her removal and the time and place of this special meeting. At such a special meeting the officer shall be given a full hearing.

- Section 3. Charges against any officer or member may be preferred by any member in good standing. The charges shall be in writing, clearly stating the facts relied upon and accompanied by all affidavits or exhibits which are to be used in their support.
- Section 4. Charges shall be filed with the Secretary, who shall immediately notify the President. The President shall call a meeting of the Executive Board to hear the charges. The Secretary shall give at least 15 days notice of the meeting to each member of the Executive Board, and to the accuser and the accused. This notice shall be in writing and shall include a true copy of the charges and of the supporting affidavits and exhibits.
- Section 5. Any member suspended or expelled by the Executive Board may appeal to the full membership of the club. Such appeal shall be made in writing to the Secretary who shall notify the President. The President shall call a special meeting of the club for the purpose of acting on the appeal. The Secretary shall give at least 15 days notice in writing to all members of the club in good standing, stating the time, place, and reason for such a special meeting. At the meeting of the full club the Secretary shall read the original charges, the supporting affidavits, and shall read the minutes of the special meeting of the Executive Board at which the charges were heard and the action taken. A full hearing shall be given the accuser and the accused. A vote shall be taken by secret ballot of the members in good standing present, and a two-thirds majority shall be required to reverse the action of the Executive Board.

ARTICLE V General Provisions

- Section 1. Equipment which the club owns shall be for the purpose of diving activities. The Executive Board is responsible for formulating policy on the use and disposition of the club property.
- Section 2. Financial Accounting
- a. The accounting year shall be from annual meeting to annual meeting. All budgeting and financial accounting shall be rendered on this basis.
- Section 3. Resignation
- a. Resignations shall be in writing, and shall be accepted only if the member is free from debt to the club.
- Section 4. Indemnity
- a. The club cannot accept any responsibility for personal loss or injury.
- Section 5. Interpretation of the Rules
- a. Any questions which may arise as to the interpretation of these rules shall be decided by the Executive Board.
- Section 6. Contingencies
- a. Any contingency which may arise and is not covered by these rules shall be decided by the Executive Board.
- Section 7. Discrimination
- a. The club shall have no political, religious, sexual, or racial discrimination and such matters shall not be discussed at any meeting of the club.

Section 8. Supplemental Rules

- a. All club Bylaws, safety precautions, and diving procedures as determined by the Executive Board shall at all times be regarded as the rules of the club and in the same light as this Constitution.

Section 9. Statement of Guest Policy

- a. The Barracudas welcome all guests at general meetings.
- b. The Barracudas welcome guests of all members at all dives and other events of the general membership, subject to the diving and safety rules of the club where applicable.
- c. Members with guests shall be held responsible to the Treasurer for payment of a fair share of expenses of each guest whenever such expenses occur. The fair share shall be determined jointly by the coordinator for the event and the Executive Board. This amount shall be announced in writing in advance of the event to all members. Guest expense information, including the name of the responsible member, shall be delivered to the Treasurer for collection from the responsible member.

ARTICLE VI Diving and Safety Rules

Section 1. All new members entering the club shall have passed a course of instruction in SCUBA diving and be certified by an approved certifying agency.

Section 2. Members with guests participating in club-sponsored dives shall conform to the following rules when the guests expect to use SCUBA:

- a. Guests shall be introduced to the Dive Coordinator who shall be satisfied that the guests meet the club standards for use of SCUBA.
- b. In the event that the guests cannot provide satisfactory evidence of proficiency under 2.a above, the guests shall be given the option of abandoning the dive or going on as skin diving participants only.
- c. In any circumstance, the member shall inform his or her guest regarding club safety and policy, and shall be responsible to the membership for the guest's actions, including damage to the club or individual property.

Section 3. The "Buddy System" shall be employed on all club sponsored dives. Each diver shall remain aware of the location, activity, and condition of the other diver.

Section 4. Group dives from a beach or a single boat involving six or more divers shall adhere to the following practices:

- a. The event dive coordinator shall devise a check-off system which shall ensure that divers still in the water will not be abandoned.
- b. A diver abandoning a dive shall inform the Dive Coordinator of his or her intent.

Section 5. Each individual shall be responsible for being physically and mentally fit to dive.

- Section 6. The use of underwater rebreathing apparatus, compressed oxygen, or experimental SCUBA apparatus shall not be permitted on club dives.
- Section 7. Spearguns shall be unloaded within 100 feet of swimming beaches, and shall not be loaded in boats or in entrance/egress areas used by other divers.
- Section 8. Cave diving shall only be permitted as a club event for those members who have taken special training in this type of diving. The extent of training, experience, and equipment necessary for each event shall be determined by the Safety Committee.
- Section 9. Individuals who wish to take marine life on a dive shall be familiar with prevailing game laws. Violations of these laws shall not be tolerated by the membership, and shall require immediate corrective action by the event dive coordinator.
- Section 10. Violations of diving or safety rules shall be reported to the event dive coordinator as soon as is practical after the occurrence. The dive coordinator is authorized to take whatever immediate action deemed necessary for the duration of that event. The alleged offense shall be reviewed by the Executive Board for final disposition.
- Section 11. All boats and floats from which dives are made shall display the Diver Down flag while divers are in the water.
- Section 12. Anyone using SCUBA gear on a dive shall be required to wear a buoyancy control device.
- Section 13. Point System for Safety Violations

Points for safety violations shall be assessed by the event dive coordinator, and the offender shall be told immediately of the offense and the number of points assessed. If 12 points are accumulated during any 12 month period, the offending member shall be suspended from all club dives for the following six months. Points shall be assessed based on the following schedule:

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| a. Diving with SCUBA without buddy | 6 |
| b. Violating local game laws | 6 |
| c. Having loaded speargun in or around boats | 6 |
| d. Dive coordinator abandoning a group member | 6 |
| e. Entering water without checking with dive coordinator | 2 |
| f. Acting in a manner deemed detrimental to club policies or image | 2 |
| g. Using SCUBA gear on dives without a buoyancy control device | 6 |
| h. Other | Option of Dive Coordinator |