

2007 LEGISLATION AMENDMENT PROPOSALS

L01 Glossary **Page xiii** **Rules Committee**

Should-recommended but not mandatory.

Rationale: To be clear about intent when using the word, “should”, in the rule book (e.g., “should” appears on page 1, fourth paragraph, second sentence). The proposed language is the same as that for the definition of should in USA Swimming’s Glossary.

L02 Article 201.2 Membership of Clubs **Page 51** **Pacific LMSC**

Member clubs are organizations or groups of permanent character currently registered with USMS through its LMSCs and that actively promote and participate in Masters swimming. For competition at National Championship Meets, a “Regional Team” will consist of those meet entrants that are registered with a club that (i) includes 40% or more of the LMSC’s registered members, and (ii) does not have centralized management and a single operating account to pay coaches and other expenses such as pool rental fees. The Championship Committee is responsible for publishing a list of Regional Teams no later than February 15 of each year. Where a club contests its designation, it may file an appeal with the Chair of the Championship Committee at least 60 days prior to the National Championship Meet.

Rationale: The methods used to score the USMS National Championships have varied over the years and a “perfect” solution has yet to be found, especially with respect to large single (or nearly single) club LMSCs. In order to continue the search for a better method of scoring National Championships (not one that is perfect), Pacific submits this alternative proposal. Pacific proposes to define what is a “Regional” or LMSC team, and then to score Nationals based on two divisions: Regional Teams and Club Teams.

Swimmers register with USMS as a member of a “club” and the club sends swimmers to Nationals, who compete as the “team” that represents the club. If that club represents a large portion of the registered USMS swimmers in that LMSC, and within that club, there are separate entities that pay their own costs, then that club is an entity that will compete at Nationals as a “Regional Team”. A large club, with centralized management and finances, will compete as a “Club Team.” If a swimmer in an LMSC still wishes to compete as a club swimmer at Nationals (and not as part of the Regional Team), they will continue to register with their designated club and the team sent to Nationals by that club will compete in the Club Team division.

Pacific proposes that under policy the Championship Committee, in consultation with the USMS Registrar, will determine and publish a list of Regional Teams no later than February 15 each year. If a club contests its classification, it can appeal to the Championship Committee by submitting a complete written claim not later than 60 days prior to the first day of competition at the National Championship Meet. Since SCY Nationals is usually in May, this should provide adequate time for submission of protests and decisions.

L03 Article 202.1.1 Sanction Requirements **Page 54** **Rules Committee**

202.1.1F(4) Sanctioned events may be conducted in facilities not meeting the dimensional tolerance for required pool length, but the results of those events shall not count for USMS records and Top 10. It must be noted in the meet information that events conducted in these facilities are noncompliant.

Rationale: Copy 107.1.3 so that it also appears under “Sanctions” in article 202.1.1F, since it deals with sanctioning events in a short pool. This statement needs to appear in both articles as it addresses facility standards (pool length) and sanctions. Make that statement a new “(4)” and renumber the rest.

L04 Article 202.2 RECOGNIZED EVENTS **Page 54** **Records and Tabulation Committee**

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202.2 RECOGNIZED EVENTS

Times achieved at recognized events shall be considered for USMS national records and Top 10 times if a designated USMS observer is present and verifies in writing that the conduct of the competition conforms to the relevant USMS swimming rules and administrative regulations. USMS membership is not required for swimmers entered in recognized events. Times achieved by USMS members at events sanctioned by USA Swimming ~~or a FINA member federation~~ shall be considered for USMS National records and Top 10 times without formal application for recognition. Times achieved by USMS members at events sanctioned by a FINA member federation shall be considered for USMS National records and Top 10 times without formal application for recognition if the USMS member(s) register for the meet as USMS members. It is the responsibility of the swimmer to submit times obtained in recognized events with complete documentation to the appropriate LSMC Top 10 recorder and the Records and Tabulation Committee chair.

Rationale: If the swimmer represents a foreign FINA member federation at a meet, then the swimmer is not representing USMS or a USMS club during the swims and the times cannot be submitted for USMS Top Ten or USMS National records. "No swimmer is allowed to represent more than one club." (FINA Rule MSW 5)

L05 Article 202.2.1 Recognition

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RulesCommittee

202.2.1-Recognition

E The conduct of a recognized event shall conform to relevant USMS swimming rules and administrative regulations, including, but not limited to, the following:

(1) Articles 101
Or Article 108

Starts, Strokes and Relays
(Swimmers with a Disability)

(2) Article 103.12.3

Timing Resolution

(3) Articles 103.13.1, 103.13.2,
103.13.3, 103.13.4, and 103.13.6

Official Time

(4) Articles 105.1, 105.2.1, 105.2.2A,
105.3.2, 105.3.7A, and 105.3.10.

Records and Top 10 Times

(5) Articles 107.2.1, 107.2.3A,
107.3, 107.11.1, 107.11.2, and
107.13

Minimum Standards for Facilities

(6) Relay leadoff split times that conform to 103.13.1 and 105.2.2A will be recognized for events listed in 102.5. USMS membership is not required for the other members of the relay team and the relay event itself need not conform to 102.5.

Rationale:

Standardize the "relevant" rules for recognition since the determination of relevant rules may vary from one LMSC to another. Clarify acceptance of relay leadoff split times from relays at recognized meets and from nonconforming events (e.g., a relay leadoff time for the 50 breaststroke from a 200 breaststroke relay).

Other articles that would require changing in order to maintain consistency (please include appropriate changes):

202.1.1-Sanction Requirements

202.1.1F(3)

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(3) Sanctioned events may include nonconforming events...USMS records and Top 10 times shall not be maintained in nonconforming events, except for initial distances and relay leadoff split times for distances that are also events defined in 102.5.

L06 Article 502 LMSC Page 84 Executive Committee

The Local Masters Swim Committee is a division of the corporation with supervisory responsibilities within a specified geographical territory.

Glossary

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~~LMSC—Local Masters Swimming Committee, a division of the corporation, with supervisory responsibilities within a specified geographic territory.~~

Rationale: The LMSC is a legal division of USMS. It needs to be defined in our bylaws and not relegated to the glossary which has a lower place of prominence.

L07 Article 502 LOCAL MASTERS SWIMMING COMMITTEE Page 84 Executive Committee

502.8 Financial Controls

LMSC funds shall not be commingled with funds of USMS Clubs, individual members or any other person or entity.

Rationale: Since the LMSC is a separate division of USMS, its funds must be transparently held to facilitate potential audits or inquiries from members. It is also good financial practice.

L08 Article 502 LOCAL MASTERS SWIMMING COMMITTEE Page 84, 85 Gulf LMSC

502.8. LMSC Championship Meets

Each LMSC may conduct championship meets, but meets identified as such shall not be scheduled on the two weekends before or the two weekends following a USMS National Championship Meet.

503.5. Zone Championship Meets

Each zone may conduct zone championship meets, but meets identified as such shall not be scheduled on the two weekends before or the two weekends following a USMS National Championship Meet.

Rationale: The USMS National meets should be the showcases for our sport, and anyone who wants to compete should be encouraged to do so. If a zone or an LMSC (especially a large LMSC) schedules its championship meet too close to Nationals, their swimmers are forced to choose between the two meets, instead of being able to use one meet as a stepping stone to the next. Local swimmers who cannot go to Nationals can benefit from the more local meet even if it is scheduled a bit earlier or later. Since the Nationals date is known over a year ahead of time, local organizations will be encouraged to pick their own championship meets early, allowing those meet organizations the choice of the best dates within this parameter. Over the past five years, the Championship Committee has had difficulty finding enough bidders for Nationals and several times had to move the entry deadline to allow more entries so that the host could make a reasonable financial profit.

L09 Article 507.2 STANDING COMMITTEES Page 90 Legislation Committee

507.2.1 Championship Committee

~~The Championship Committee shall consist of the committee chair and at least three members who have had experience in overseeing a national championship meet and two members without such experience.~~ The Championship Committee shall serve in an advisory capacity to national championship hosts and make recommendations and decisions that enhance the quality of championship meets. The committee shall solicit and receive bid proposals, review bids and make recommendations to the House of Delegates regarding sites for national championship meets. The Championship

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Committee shall consist of the committee chair and at least three members who have had experience in overseeing a national championship meet and two members without such experience.

Rationale: The mission of the committee became too inward looking and did not support the mission of USMS. The new mission places focus on the members.

L10 Article 507.2 STANDING COMMITTEES Page 90 Coaches Committee

507.2.2 – Coaches Committee

~~The Coaches committee shall recruit, educate, and support coaches for USMS members. develop programs and tools to enhance the quality of Masters swimming programs and coaching. The committee shall provide for the recognition of outstanding Masters swimming coaches and programs, and may serve in an advisory capacity to other USMS committees and officers on coaching issues.~~

Rationale: The mission of the committee became too inward looking and did not support the mission of USMS. The new mission places focus on the members rather than the coaches.

L11 Article 507.2 STANDING COMMITTEES Page 90 Legislation Committee

507.2.3 Communications Committee

~~The Communications Committee shall consist of the committee chair, the rule book coordinator, the chair of the Editorial Committee and at least eight other members. The national publication editor and the webmaster/IT director shall be ex-officio Members. The Communications Committee shall plan and provide guidance for communications with the general membership and shall interact with all USMS committees and LMSCs to develop communications that promote the healthy lifestyle of Masters swimming, highlight the benefits of membership and provide ongoing feedback and information regarding USMS programs. The Communications Committee shall consist of the committee chair, the rule book coordinator, the chair of the Editorial Committee and at least eight other members. The national publication editor and the webmaster/IT director shall be ex-officio Members.~~

Rationale: The mission of the committee became too inward looking and did not support the mission of USMS. The new mission places focus on the members.

L12 Article 507.2 STANDING COMMITTEES Page 90 Editorial Committee

507.2.4— Editorial Committee

~~The Editorial Committee shall consist of the committee chair; one representative from each of the following committees: Marketing, Finance, and Sports Medicine, Health and Safety; and additional members to ensure representation from each division. The USMS national publication editor and the USMS webmaster/IT director shall be ex-officio members. The committee shall manage all USMS publishing activities and shall set publishing policy. The committee shall support the operations staff handling the separate elements of USMS publications. The committee shall work with representatives from the publishers of the USMS national publication on magazine related activities.~~

Replace With:

507.2.4— Publications Management Committee

The Publications Management Committee shall manage all USMS publishing activities and shall set publishing policy. The Committee shall develop and maintain or promote the development and maintenance of publications that a) support USMS's values and operating principles, b) provide benefits and information services for all USMS members, c) provide viable marketing tools, where appropriate, d) provide an income source for USMS, where possible and e) employ the most current industry standards for design, style, editorial content and usability, where appropriate. The committee shall establish working relationships with and support the volunteer and professional staff developing USMS publications, including the publishers of the USMS national publication, web operations personnel, committees that publish information for USMS and National Office personnel. The committee shall consist of the committee chair and sufficient members to execute the committee function. Members shall have the requisite skills to accomplish tasks as defined by the

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committee's objectives and goals. USMS professional staff with responsibility for publications shall be ex-officio members.

Rationale: These changes address the following:

1. Committee Name: The name "Editorial" is a misnomer and is not consistent with the function of the committee. This name change will correct that inconsistency.
2. Committee Function: The function statement is consistent with the mission, goals and objectives defined during the strategic planning process and the policies defined in the USMS Publishing Policy Manual (www.usms.org/admin/policies/pubs_policies.pdf).
3. Committee Structure: The change in structure separates policy from process. The policy is that the members of the committee shall have the skills to execute the functions of the committee in order to meet the committee's objectives and goals as defined in the USMS Strategic Plan. The process is the means by which members are chosen for the committee, which will be the USMS President's prerogative. The new definition does not preclude the President from designating specific representatives from other parts of USMS, as long as they fulfill the skills requirement and are necessary to the committee function. The new structure has the added benefit of providing flexibility for populating this committee as the needs of USMS change without requiring new legislation.

L13 Article 507.2 STANDING COMMITTEES

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Finance Committee

507.2.5 – Finance Committee

The purpose of the Finance Committee is to advise the Corporation on investment policy, fund management, budget, financial management and capital expenditures with a focus on improving the Corporation's services to its members in accordance with the charter of the Finance Committee.

The Finance Committee shall consist of the committee chair and no more than 16 additional members, with at least one member from each zone. The treasurer, the internal auditor and the controller shall serve as ex-officio members of the committee.

~~The Finance Committee shall:~~

~~A Develop policies pertaining to the financial affairs of USMS.~~

~~B Receive and review the annual reports of the internal auditor, treasurer and controller.~~

~~C Prepare or cause to be prepared a summary of the above reports to be presented to the House of Delegates at each annual convention.~~

~~D Annually receive and compile all budget requests from each officer and committee for the next fiscal year.~~

~~E At each annual convention, prepare USMS's budget for the next fiscal period and submit same to the House of Delegates for approval.~~

Rationale: The mission of the committee became too inward looking and did not support the mission of USMS. The new mission places focus on the members.

L14 Article 507.2 STANDING COMMITTEES

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Fitness Committee

507.2.6—Fitness and Health Education Committee

~~The Fitness and Health Education Committee shall study and develop fitness swimming activities for the general membership at the national level, and encourage such activities at the local~~

~~level. The committee shall educate adults on the fitness benefits of swimming. promote and assess the fitness, health and lifestyle benefits of Masters Swimming.~~

Rationale: The mission of the committee became too inward looking and did not support the mission of USMS. The new mission places focus on the members.

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L15 Article 507.2 STANDING COMMITTEES

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International

Committee

507.2.8—International Committee

The International Committee shall promote communication with Masters swimmers throughout the world, facilitate USMS members' participation in international events and encourage the participation of foreign Masters swimmers in USMS events. The USMS Liaison to Amateur Swimming Union of the Americas (ASUA) representative and the USMS Liaison to FINA representative shall be ex-officio members. The International Committee shall identify opportunities for and provide support to USMS in bidding to host international events and facilitate and support local organizing committees when USMS hosts an international event. The committee shall promote international communications and USMS members' participation in international meets, open water events and postal swims. The committee shall also serve as a resource for the USMS membership concerning differences between USMS and international competitions.

Rationale: This description includes the Mission Statement developed by the International Committee in its VVMOST process. The change in the reference to the ASUA and FINA representatives to USMS liaisons to ASUA and FINA is proposed by USMS President, Rob Copeland.

L16 Article 507.2 STANDING COMMITTEES

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Legislation Committee

507.2.9 Legislation Committee

~~The Legislation Committee shall consist of the committee chair and no more than 16 additional members, with at least one member from each zone. The Rules Committee chair and the rule book coordinator shall be ex-officio members of the committee.~~ The Legislation Committee may initiate and shall consider proposed amendments, and shall report them, with the committee's recommendations, at the annual meeting of the House of Delegates, in accordance with the provisions of Part 6. The committee may interpret and render opinions regarding any provision of the rules and regulations of USMS within the committee's jurisdiction as defined in article 601.1. The Legislation Committee shall consist of the committee chair and no more than 16 additional members, with at least one member from each zone. The Rules Committee chair and the rule book coordinator shall be ex-officio members of the committee.

Rationale: The mission of the committee became too inward looking and did not support the mission of USMS. The new mission places focus on the members.

L17 Article 507.2 STANDING COMMITTEES

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Legislation Committee

507.2.10 Long Distance Committee

~~The Long Distance Committee shall consist of the committee chair and no more than 16 additional members, with at least one member from each zone. The rule book coordinator shall be an ex-officio member of the committee. The chair shall serve as the USMS liaison to the USA Swimming Open Water Committee.~~ The Long Distance committee shall solicit and review bid proposals and select the sites for the long distance championship events. The committee shall work in a coordinating and advisory capacity with event hosts and make recommendations to enhance the quality of long distance championship events. The committee may initiate and shall consider proposed amendments, and shall report them, with the committee's recommendations, at the annual meeting of the House of Delegates, in accordance with the provisions of Part 6. The committee shall maintain records and select the All-American Long Distance and Long Distance All-Star Teams. The committee may interpret and render opinions regarding any provision of the rules and regulations of USMS within the committee's jurisdiction as defined in article 601.1. The Long Distance Committee shall consist of the committee chair and no more than 16 additional members, with at least one member from each zone. The rule book coordinator shall be an ex-officio member of the committee. The chair shall serve as the USMS liaison to the USA Swimming Open Water Committee.

Rationale: The mission of the committee became too inward looking and did not support the mission of USMS. The new mission places focus on the members.

L18 Article 507.2 STANDING COMMITTEES

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Planning Committee

~~507.2.13—Planning Committee. Remove section and renumber~~

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Rationale: With the hiring of the Executive Director in 2007 and the restructuring of the BOD in 2005, this Planning Committee believes that it is appropriate to dissolve as a Standing Committee and turn over the responsibility for the long-term strategic planning of the Corporation to the ED and the BOD. Specific short-term planning requirements can be handled through the formation of short-term task forces as necessary.

L19 Article 507.2 STANDING COMMITTEES Page 92 Legislation Committee

507.2.14 Recognition and Awards Committee

~~The Recognition and Awards Committee shall consist of the committee chair, USMS-registered Ransom J. Arthur Award recipients and additional members to assure age and zone representation.~~ The Recognition and Awards Committee shall review and approve proposals for all official USMS awards. The committee shall maintain a history of award recipients. The Recognition and Awards Committee shall consist of the committee chair, USMS-registered Ransom J. Arthur Award recipients and additional members to assure age and zone representation.

Rationale: The mission of the committee became too inward looking and did not support the mission of USMS. The new mission places focus on the members.

L20 Article 507.2 STANDING COMMITTEES Page 92 Registration Committee

507.2.16 – Registration Committee

~~The Registration Committee shall include the committee chair, one member from each zone, and one member-at-large. The committee shall develop policies and procedures for registration and LMSC registrars, inventory registration materials, communicate with the LMSC registrars and assist in evaluating the registration function of the national office. The Registration Committee develops policies and procedures to provide efficient methods for renewing membership and gaining new members for our organization. The committee members work with LMSC registrars within their zones to communicate current policies and procedures.~~ The Registration Committee shall include the committee chair, one member from each zone, and one member-at-large.

Rationale: The mission of the committee became too inward looking and did not support the mission of USMS. The new mission places focus on the members.

L21 Article 507.2 STANDING COMMITTEES Page 93 Rules Committee

507.2.17-Rules Committee

~~The Rules Committee shall consist of the committee chair and no more than 16 additional members, with at least one member from each zone. The Legislation Committee chair, the rule book coordinator and the Officials Committee chair shall be ex-officio members of the committee. The Rules Committee shall assure that the competitive rules in Part 1 of the USMS Rules and Regulations provide for fair and equitable competition in the best interests of all USMS members and that members are informed of current rules, interpretations, and changes.~~ The Rules Committee may initiate and shall accept, consider, and report proposed amendments, ~~and shall report them,~~ with the committee's recommendations, at the annual meeting of the House of Delegates, in accordance with the provisions of Part 6. The committee may interpret and render opinions regarding any provision of the rules and regulations of USMS within the committee's jurisdiction as defined in article 601.1. The committee shall consist of the committee chair and no more than 16 additional members, with at least one member from each zone. The Legislation Committee chair, the rule book coordinator and the Officials Committee chair shall be ex-officio members of the committee.

Rationale: Add a statement of services to the USMS membership and move the first two sentences (committee composition) to the end of the description.

L22 Article 507.2 STANDING COMMITTEES Page 90 Sports Medicine, Health and Safety Committee 507.2.18 - Sports Medicine, Health and Safety Science Committee
The Sports Medicine, Health and Safety Science Committee shall advise USMS and educate its members and the

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~~public on topics of health, medicine and safety sports science. The committee shall conduct, stimulate and encourage research in health, medicine and safety pertaining to Masters swimming.~~

Rationale: The subjects of Health (as in the benefits derived from participation in the sport) and Safety have been moved to other areas. Health is part of Fitness; Safety will be part of Risk Management. The focus of the committee shall be on the medical and scientific progress and medical reports that will benefit, affect or impact the members.

L23 Article 507.2 STANDING COMMITTEES Page 93 ReLetter Legislation Committee

507.2.19 Zone Committee

~~A B~~ The Zone Committee shall enhance communications between the National Office and LMSCs, and between USMS committees and LMSCs. The committee shall carry out the responsibilities assigned to it by the policies of the House of Delegates, the president, the *USMS Code of Regulations* and the stated need of the LMSCs.

~~B C~~ The Zone Committee shall develop and maintain election operating guidelines.

~~C A~~ The Zone Committee shall consist of the vice president of local operations, who shall serve as chair, plus a representative from each zone elected by the delegates from each LMSC within that zone.

Rationale: The mission of the committee became too inward looking and did not support the mission of USMS. The new mission places focus on the members.

L24 Appendix D LMSC Boundaries Pages 153-155, 157, 159,160 Midwestern LMSC

Breadbasket—Colorado, Iowa, ~~Midwestern~~, Minnesota, Missouri Valley, Nebraska, North Dakota, Ozark, South Dakota, Wyoming.

p. 154 ~~29 MW Midwestern~~ 29 NB Nebraska

p. 155 See Attached Map

p. 157

~~Iowa~~—The state of Iowa.. ~~except the counties of Lyon, Osceola, Sioux, O'Brien, Plymouth, Cherokee, Woodbury, Ida, Monona, Crawford, Harrison, Shelby, Pottawattamie, Mills, Montgomery, Fremont and Page.~~

~~Midwestern Nebraska~~—The state of Nebraska. ~~In the state of Iowa the counties of Lyon, Osceola, Sioux, O'Brien, Plymouth, Cherokee, Woodbury, Ida, Monona, Crawford, Harrison, Shelby, Pottawattamie, Mills, Montgomery, Fremont and Page.~~

p. 159

Area 2—Area 2 shall be composed of the following LMSCs: Arizona, Arkansas, Border, Colorado, Gulf, Illinois, Indiana, Iowa, Kentucky, Lake Erie, Michigan, ~~Midwestern~~, Minnesota, Missouri Valley, Nebraska, New Mexico, North Dakota, North Texas, Ohio, Oklahoma, Ozark, South Dakota, South Texas, Southeastern, Southern, Utah and Wisconsin.

p. 160 See Attached Map

Note that all pages with changes would require that Nebraska be placed appropriately in alpha order.

Rationale: The proposal is that Midwestern (which currently includes 17 counties of Iowa) change both its name and its boundaries. Midwestern would change its name to Nebraska (NB) and include all of the state of Nebraska. Iowa (IA) would then become all of the state of Iowa. The original USMS boundaries were drawn to reflect the USS boundaries for ease of swim meet hosting and other administrative purposes. Those reasons are outdated. The proposed change reflects how members of the Iowa LMSC actually register. The majority of the people who live in Iowa register as Iowa Masters (regardless of the LMSC their county lies in).

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L25 Appendix D LMSC Boundaries

Pages 156, 159

Zone Committee

~~Colorado~~—The state of Colorado and Wyoming.

~~Wyoming~~—The state of Wyoming.

BIDDING AREAS FOR LONG DISTANCE NATIONAL CHAMPIONSHIP MEETS

Area 1 – Area 1 shall be composed of the following LMSCs: Alaska, Hawaii, Inland Northwest, Montana, Oregon, Pacific, Pacific Northwest, San Diego-Imperial, Snake River, and Southern Pacific ~~and Wyoming~~.

Rationale: Wyoming has no leadership, few members, and no meets. Swimmers already go to Colorado for meets. This proposal has been approved by the Colorado LMSC. A letter sent with 2007 registrations to WY members did not generate interest in taking over. Colorado will determine if a name change is appropriate in conjunction with the new members and, if necessary, submit legislation in the future.

L26 Appendix D LMSC Boundaries

Pages 156, 158

Ozark LMSC

Illinois—The state of Illinois except the counties of St. Clair, Calhoun, Greene, Jackson, Jersey, Monroe, and Madison.

Ozark—The state of Missouri east of and including the counties of Scotland, Knox, Shelby, Monroe, Pike, Montgomery, Osage, Miller, Camden, Dallas, Webster, Douglas and Ozark. In the state of Illinois the counties of Calhoun, Greene, Jackson, Jersey, Madison, St. Clair and Monroe.

Rationale: USA-Swimming includes Jackson County, Illinois in the Ozark LSC. Current USMS members who swim in Jackson County, Illinois are all members of the St. Louis Area Masters, which is a registered USMS Club within the Ozark LMSC.