

FEBRUARY MEETING REPORTS - 02/13/2008

Chairman – Michael Moore, Verbal report

Vice Chair Operations – Barry Fasbender, no report

Secretary – Karen Duggan, no report

Treasurer – Linda Shoenberger, verbal report

At Large – Bill Grohe, no report

Registration – Nancy Ridout

As of February 11th, we have registered 5,684 swimmers and 112 clubs, an increase of 1,113 swimmers and 16 clubs since our last meeting on January 16th. Past registrations for comparative February dates are 5,437 swimmers and 97 clubs as of 2/16/07; 5,337 swimmers and 102 clubs as of 2/11/06; 4,934 swimmers as of 2/10/05; 4,951 as of 2/14/04; 4,998 swimmers and 102 clubs as of 2/14/03; 5,414 swimmers and 104 clubs as of 2/16/02; 5,166 and 111 as of 2/23/01; 4,752 and 95 as of 2/18/00; 4,466 and 87 as of 2/5/99; 4,482 and 89 as of 2/25/98; 4,432 and 87 as of 2/21/97; 4,366 and 93 as of 2/23/96; 3,911 and 83 as of 2/22/95; 3,776 and 79 as of 2/23/94; 3,722 and 80 as of 2/19/93; 3,867 and 71 as of 2/21/92.

Of the 5,684 registrations, 215 of them were online registrations. The online system was off was about ten days at the end of January but is back up.

Clubs not currently registered for 2008.

Campbell Wave Masters

Merced Masters

CA Sports Center

Hercules Masters

Oakhurst Country Club

Sunnyvale*

Lake Tahoe Kokanee

Sacred Heart Masters

WaterSpirit Swim School

Lynbrook Aquatics Masters

Any club holding practices and not currently registered is doing so without USMS liability insurance in effect.

The get-together with Shane Gould at the Sports basement was excellent. The turnout was less than we'd expected and fewer than had RSVP'd but the talk by Shane was excellent and everyone there was glad they had made the effort on a rainy, windy night. The Sports Basement, courtesy of Amy Meyers, was a good place to have such a gathering and we thank them for making their facility available to us.

Top Ten/Records – Nancy Ridout

The Preliminary SCM Top Ten is posted at www.usms.org for swimmers to view and notify us of errors. My next project is the 2007 SC, LC, and SCM records and the 2007 Swimmers of the Year tabulation due next month for your approval.

Scheduling – Marcia Benjamin, no report.

Meet Operations – Barry Fasbender

1. The SMMM 23rd Annual Indoor Relay meet was cancelled due to electrical fire at the Oceana Pool.
2. We plan on purchasing five copies of Hy-Tek Meet Manager to run the following meets this year: the three championship meets (SCY, LCM and SCM), the Menlo LCM meet, the Modesto SCM meet, the Mountain View SCM meet, and the SAC masters SCM meet. We will need to purchase three more copies next year for the TOC SCM 1500, the MBAY SCY Clambake, and the Rinconada SCY meet. For clubs that don't put on a meet every year, we have the option of purchasing a 30 license.
3. FastLane Tek will run the Meet Management software at the above meets. We need to confirm their availability for these meets, negotiate a cost for providing this service, and reimburse each club for any additional cost over what they are now paying .

4. Michael is working John McGough, of Clovis (Fresno) to run a Masters meet this year. They are hosting the 2009 USMS Short Course Yards Championships.

5. Walnut Creek Request for Reimbursement at SC Championships by Joan Alexander. I request a payment of \$1750 to be paid to the hosting teams for the Short Course Championship meet. This is the difference between the \$1050 that was paid to run the meet last year and the \$2800 to run the meet this year. \$600 of this would be used to cover the cost for two tall scoreboards.

Hy-Tek Task Force – Ridout, Crittenden, Fasbender, Wrangell, Zeitler (Shoenberger?)
See Meet Operations 2 and 3. In regards to number 3, FastLane Tek has confirmed they will have a Hy Tek operator available for each 2008 meet using Hy Tek that doesn't have its own operator and those include the meets specified in Meet Operations 3. In addition to the number of copies needed to purchase for 2009 is USF.

Open Water – Glenda Carroll, no report

Coaches –Chris Campbell, no report

Communications – Newsletter-Joanne Berven, Web Master-Michael Moore

Newsletter - The March-April PMS Newsletter went out tonight by email and I will mail the paper copies in the morning. The next deadline is March 6 for the May-June Issue.

Web Master - From the beginning of the year, the website has average 83MB of transfers a day. The busiest days are those days after an "Update" is sent out.

A special landing page for on-line registration has been created, so far it has been hit 476 times since its creation. A person reads this page, and then it links to the USMS website on-line registration page.

There have been five updates since our last meeting. Currently there are just over 14,000 people receiving the update. I am going to have to work with Nancy on a way to add people to the Update.

Yesterday, I loaded the March-April newsletter. I don't have exact numbers yet, but it has been a very popular download. I think the most popular item was the Open Water Points competition.

Fitness – Leianne Crittenden, no report

Legislation/Rules – Alan Levinson, no report

Marketing/Publications – Bill Grohe, no report

Officials – John King, no report

Trailer – Allan Cartwright, no report

Ad Hoc Facilities – Joan Alexander

The room is confirmed for May 14th for our meeting. I will book July sometime in April.

Hospitality – Ridout

Volunteers are needed to provide dinner for the following 2008 meetings:

March (Joan Alexander), May (), July (), and September (). Our November meeting will be potluck. Please contact Nancy Ridout or volunteer at the meeting if you could help out this way.

LMSC Grievance Procedure

WHEREAS the _____ LMSC (the LMSC) has determined that a written grievance procedure is needed to implement the policies of United States Masters Swimming (USMS) as expressed in the Rules of

USMS concerning member rights and standards of conduct under Article 402 thereof (hereinafter "Article 4"),

The following grievance procedure is adopted by the _____ LMSC: *[Note to LMSCs: The preceding paragraph and this introductory sentence are for passage of your bylaw amendment and will not become part of the grievance provisions in your bylaws.]*

Grounds for Grievances

Any individual member of the LMSC and/or any Club member of the LMSC may bring a complaint on any matter for which grievances may be heard under Article 4. Specifically, complaints may be brought alleging unsporting conduct, defined in Article 4 as:

- a. Violation of the opportunity to participate, as set forth in Article 4.
- b. Discrimination in violation of Article 5 of the Rules of USMS.
- c. Any act of fraud, deception or dishonesty in connection with any USMS related activity.
- d. Any nonconsensual physical contact, obscene language or gesture, or other threatening language or conduct directed toward meet personnel, in connection with a USMS event.
- e. Any act, conduct or omission that is detrimental to the image or reputation of USMS, an LMSC, or the sport of swimming.

Complaint Procedure

1. A complaint shall consist of a concise statement of the behavior or circumstance involved, shall be in writing, and signed by the person responsible for making the complaint. The complaint shall clearly identify the person or entity making the complaint and the person or entity against whom the complaint is made. The complaint shall be directed only to the Grievance Chair^[1].
2. Upon receipt of a complaint, the Grievance Chair shall first make a determination whether the subject matter involves an issue for which a grievance may be brought under Article 4 and involves a person or entity which is part of the LMSC. If the Grievance Chair determines that the complaint does not meet such criteria, the Grievance Chair shall dismiss the complaint and notice of same shall be transmitted to the party bringing the complaint and to the Chair of the LMSC.
3. If the Grievance Chair does not dismiss the complaint, the Grievance Chair shall transmit a copy of the complaint to all other parties involved. The parties to any controversy shall be the USMS member or entity that makes the complaint, the USMS member or entity that is the subject of a complaint, and, if appropriate, the LMSC. In the event there are multiple parties or varying interests, any interested person may ask the Grievance Chair to (or the Chair may of its own volition) realign the parties according to their interest in the matter.
4. The parties other than the complaining party shall have the right to make a written reply, which shall consist of a concise statement of any matter of defense to the complaint, and which shall be made within twenty days from the date the copy of the complaint is transmitted by the Grievance Chair. Replies shall be in writing and signed by the person responsible for making the reply. The Grievance Chair shall advise all parties in writing of their hearing rights under these guidelines, as well as their appeal rights under Article 4. The Grievance Chair, for reasonable grounds, including excusable neglect, may extend any time limit.

Mediation or Resolution by the Grievance Chair

1. After all parties have transmitted written statements to the Grievance Chair (or if the time for same has passed without a statement being transmitted), the Chair shall attempt to resolve the controversy by mediation. The method of mediation shall be at the discretion of the Chair. Methods of mediation may include (without limitation) in-person contact, telephone contact, or communication by writing or e-mail. If mediation is successful, the agreement shall be reduced to writing, signed by the parties, and transmitted to the LMSC Chair.

^[1] Depending on the size of the LMSC and the number of complaints it expects to handle, the role of Grievance Chair or Grievance Committee may be filled by the LMSC chair, a designee, or an ad hoc committee. When the LMSC or its Chair, or Grievance Chair is a party, a neutral person should be appointed to chair the grievance.

2. If a party who is the subject of a complaint fails to make a reply, but other parties have replied, then the Grievance Chair may proceed to mediation under this section, or to a hearing under the following section.
3. If no party who is the subject of a complaint makes a reply, then the Grievance Chair may act on the complaint as filed, or may take evidence or information from any source. The Grievance Chair shall make such findings as appear to be justified and reasonable to resolve the controversy. Findings shall be reduced to writing and transmitted to the parties and to the LMSC Chair.

Hearing Procedure

1. If no agreement can be reached, the Grievance Chair shall convene a hearing panel to resolve the controversy. The Grievance Chair shall designate three members of the LMSC to act as a panel to resolve the grievance and all matters related thereto. The Chair shall preside over the hearing and give counsel to the panel concerning procedural matters and USMS rules, but shall have no vote.
2. The hearing panel shall take such statements and evidence as it deems necessary to resolve the controversy, and shall, wherever possible, take evidence from all persons identified by a party as having material information. A party to the controversy shall be responsible for making any such witness or evidence available. If the panel deems it necessary to hear testimony, then the Chair may appoint one member to take such evidence and report to the panel. Any cost of production of evidence shall be advanced by the party on whose behalf such evidence is taken.
3. Upon completion of presentation of evidence, the hearing panel shall, by majority vote, resolve the controversy in the form of a written decision. The decision, including any dissent, shall be reduced to writing and transmitted to all parties and the LMSC Chair. If the hearing panel does not dismiss the complaint, it may deny membership in the LMSC, censure, place on probation, suspend, fine or expel from LMSC membership any member or any person participating in the affairs of USMS who has engaged in any unsporting conduct set forth in Article 4. If a person is expelled from the LMSC, such action shall be transmitted by the Grievance Chair to the National Board of Review for further action, if any, it deems necessary.
4. Upon rendering of a final decision, the Grievance Chair shall notify all parties in writing of their right to appeal to the National Board of Review under Article 4. The LMSC may stay the imposition of any penalty pending appeal to the National Board of Review.