

FINAL LEGISLATION PACKET FOR 2023 USMS ANNUAL MEETING

**TABLE OF PROPOSED AMENDMENTS TO THE
USMS GLOSSARY, PART 2, and PARTS 4–6 of the USMS CODE OF REGULATIONS**

The following proposed amendments to the USMS Code of Regulations are submitted to the House of Delegates for consideration at the annual meeting in accordance with articles 601.2, 601.3, and 601.4.3.

The committee action is indicated as “recommended for adoption,” “recommended for adoption as amended,” or “recommended for rejection.” Committee actions may be reconsidered at the annual meeting before presentation to the House of Delegates.

Amendments that are recommended by the committee require a majority vote of the House of Delegates to adopt.

Amendments that are not recommended by the committee require a two-thirds vote of the House of Delegates to adopt.

Amendments that are presented as an “indivisible package” will be considered as a whole with a motion to adopt all of the changes in the entire package.

Number	Section	Description	Committee Action	HOD Action
L-1	Organizing Principles	Revise mission, vision, and values	Recommended for adoption as amended	Adopted as amended
L-2	506.2.1	Clarify nomination practices for at-large elections	Recommended for adoption as amended	Adopted
L-3	507.1.4	Delete Fitness Education Committee	Recommended for adoption	Adopted
L-4	403.4	Add a deadline to NBR hearings	Recommended for rejection	Defeated
L-5	403.4.1	Delete Section D from NBR jurisdiction	Recommended for rejection	Defeated
L-6	507.3	Delete coordinator appointment authority	Recommended for adoption	Adopted
L-7	Glossary	Add glossary definition for “member in good standing”	Recommended for adoption	Adopted

FINAL LEGISLATION PACKET FOR 2023 USMS ANNUAL MEETING

L-1 Organizing Principles Board of Directors page ix modify

Committee Action:	Recommended for Adoption as Amended	Recommended for Rejection
HOD Action:	Adopted	Adopted as Amended Defeated

(Turquoise is the original text of the proposal and green is the Committee edits)

Organizing Guiding Principles

Preamble

United States Masters Swimming ~~was is an organization of sportswomen and sportsmen~~ founded in 1970 and dedicated to the premise that the lives of participants will be enhanced through aquatic physical conditioning. USMS supports and encourages competitions among its members and those of other nations. This book establishes certain rules and regulations for the conduct of the organization, the participants, and the competitors in the spirit of good sportsmanship.

Mission Statement

To promote health, wellness, fitness, and competition for adults through swimming.
Empower adults to improve their lives through swimming.

Vision Statement

USMS will be the premier resource for adult aquatic fitness in the United States and will make fitness through swimming available for as many adults as possible.
Foster a nationwide adult swimming community through lifelong fitness, competition, and education.

Values

Fitness

Camaraderie

Inclusion

Learning

Excellence

Competition

Fairness

Goals and Objectives

- ~~A To encourage and promote improved physical fitness and health in adults.~~
- ~~B To offer adults the opportunity to participate in a lifelong fitness and/or competitive swimming program.~~
- ~~C To encourage organizations and communities to establish and sponsor Masters Swimming programs.~~
- ~~D To enhance fellowship and camaraderie among Masters swimmers.~~
- ~~E To stimulate research in the sociology, psychology, and physiology of Masters swimming.~~

Core Objectives

FINAL LEGISLATION PACKET FOR 2023 USMS ANNUAL MEETING

~~Service the membership.~~
~~Educate the membership.~~
 Build the membership

Other articles that would need to be modified for consistency: The words “Organizing Principles” (with and without capitalization) appear in several sections of the rule book and will need to be changed to “Guiding Principles” upon approval of the proposed modification. Affected sections: 504.2.1, 504.2.5, 507.1.6, 601.1.1, 601.2.1.

Rationale: The current version of the Organizing Principles is outdated and has not been revised in several years. This update replaces the previous organizing principles section with a more current framework. The proposed version is intended to be more concise and provide additional clarity. The mission, vision, and values have been revised to serve as a framework for strategic decisions and guide the organization.

Updated edits as of 9/5/23: The Legislation Committee voted to unstrike the preamble and edit the first sentence. The Committee also voted to add “fairness” to the values.

L-2	506.2.1	Board of Directors	page 103	modify
Committee Action:		Recommended for Adoption as Amended	Recommended for Rejection	
HOD Action:		Adopted	Adopted as Amended	Defeated

(Brown is the original text of the proposal and green is the Committee edits)

506.2.1 An at-large director from each zone, nominated by ~~a member of~~ **in good standing of an LMSC in** that zone, shall be elected by the House of Delegates at annual meetings held in even-numbered years. Their terms of office shall commence at the close of the annual meeting of the House of Delegates at which they are elected.

Rational: To clarify the practice that has been followed for the last several years. To clarify the Election Operating Guideline instructions.

L-3	507.1.4	Fitness Education Committee	page 107	delete
Committee Action:		Recommended for Adoption	Recommended for Rejection	
HOD Action:		Adopted	Adopted as Amended	Defeated

~~507.1.4 Fitness Education Committee—The Fitness Education Committee shall promote the fitness, health, and lifestyle benefits of Masters swimming. The committee may also offer programs to members for this purpose. The committee shall consist of the committee chair and sufficient members to execute the committee function.~~

Rationale: We recommend the deletion of Rule 507.1.4 and the dissolution of this national committee. The existing functionality is recommended to continue through ad hoc, single-issue-based task forces and individual volunteer contributors working directly with the National Office staff, the Board of Directors, and other standing national committees.

FINAL LEGISLATION PACKET FOR 2023 USMS ANNUAL MEETING

Several task forces over the past 5+ years have analyzed the effectiveness of the traditional and historical structure of USMS and their conclusions are the basis for the new strategic re-organization of its structure. Disbanding committees that serve on a spectrum in the organization, while retaining and more effectively reassigning their functionalities, is a critical element of this plan. The Fitness Education Committee and its members concur with these conclusions. This committee supports the new strategic direction of centralizing tasks, of being more specific and targeted with our talent in the volunteer base in order to support USMS membership, and to add value to our organization as a brand.

L-4 403.4 Southern Pacific page 91 modify

Committee Action:	Recommended for Adoption	Recommended for Rejection	
HOD Action:	Adopted	Adopted as Amended	Defeated

403.4 National Board of Review Procedures

The Board of Directors shall adopt and maintain National Board of Review procedures. These procedures shall set forth the process that will be used for matters filed with the National Board of Review including how disputes and appeals shall be filed, timing for each aspect of the National Board of Review hearing and appeal process, fees, structure of hearing panels, conduct of panel hearings, and notifications to the parties. The National Board of Review shall resolve any grievance within 90 days. If no action is taken within 90 days, the grievance is void. Double jeopardy shall not be allowed.

The National Board of Review procedures shall be made publicly available and shall be updated on a periodic basis.

Rationale: Any party being charged has the right to a speedy hearing. The NBR has a long history of very slow process, including extending charges beyond any useful or meaningful time period.

Committee rationale for rejection: After robust conversation with the USMS President, current NBR Chair, USMS Legal Counsel, and a review of NBR timelines over the last 5 years, the Committee finds that most NBRs were concluded within a reasonable timeframe but did not want to deprive members of a fair and complete hearing by setting an absolute deadline for completion.

FINAL LEGISLATION PACKET FOR 2023 USMS ANNUAL MEETING

L-5 403.4.1 Southern Pacific page 91 delete and renumber

Committee Action:	Recommended for Adoption	Recommended for Rejection
HOD Action:	Adopted	Adopted as Amended Defeated

403.4 National Board of Review Procedures

403.4.1 Because certain disputes are most appropriately heard at the national level, the National Board of Review has original and exclusive jurisdiction to hear:

A Any complaint from members of USMS where more than one LMSC is involved.

B Any complaint of violation of article 402.4.4, providing false information, or article 402.4.8, causing a credible and material risk to safety.

C Any complaint initiated by USMS.

~~**D** Any complaint in which LMSC bylaws, rules, policies, or procedures preclude filing of a grievance by a USMS member.~~

E Upon a majority vote of the Executive Committee, the National Board of Review may be assigned exclusive and immediate jurisdiction at any stage of any matter within the purview of this article 403 to serve the best interests of Masters Swimming.

Rationale: This section is unsupportable by fact or source. USMS members are provided status merely by being members.

Committee rationale for rejection: First, the stated rationale seems at odds with the recommended course of action. Second, the Committee did not agree with the assertion that removing Section D would not "remove any right of any member that already exists."

L-6 507.3 Southern Pacific page 109 delete and renumber

Committee Action:	Recommended for Adoption	Recommended for Rejection
HOD Action:	Adopted	Adopted as Amended Defeated

507.3 Appointments

~~**507.3.1 Coordinators**—The president, with the concurrence of the Executive Committee, may appoint coordinators. The Board of Directors may grant a coordinator the same rights and responsibilities as the chairs of standing committees. A coordinator, with the concurrence of the president, may appoint a working group to assist the coordinator.~~

Rationale: Too vague. The president already has the ability to create task forces or ad hoc committees. If the subject matter is an offshoot of any standing committee, it would be a subcommittee. "Coordinator" is a term used in staffing duties, which would fall to the Executive Director to assign.

FINAL LEGISLATION PACKET FOR 2023 USMS ANNUAL MEETING

L-7 Glossary Legislation page xi-xvi addition

Committee Action:	Recommended for Adoption	Recommended for Rejection
HOD Action:	Adopted	Adopted as Amended Defeated

Member in Good Standing—any person or club who has fulfilled the requirements for membership and who has not voluntarily withdrawn nor been expelled or suspended.

Rationale: The passage of L-2 necessitated the addition of this definition.