

# LMSC MINIMUM STANDARDS

**Draft for 2009 Convention Packet**

**July 22, 2009**

It is in the best interests of USMS that our Local Masters Swimming Committees deliver services at a minimum level across the country. The LMSC, under the leadership of its chairman, is responsible for fulfilling the required minimum standards. Resources are available from USMS to assist LMSCs in fulfilling these required standards, and for working towards the suggested standards. The proposed LMSC Development Committee will be available specifically to assist LMSCs with these standards.

This document may be amended periodically by the USMS Board of Directors.

## Leadership

Required	Suggested
<i>Elect at a minimum:</i> Chair Treasurer Secretary	Assure broad club representation in appointment of a full slate of officers.
Prepare and submit annual meeting minutes to USMS national office; retain copy for LMSC archive.	
<i>Appoint or elect:</i> Registrar (cannot be the same person as the Treasurer) Communications Chair (newsletter/webmaster) Top 10 Recorder Sanctions Chair Coaches Chair Officials Chair (Note: one person may cover more than one position, unless otherwise indicated)	<i>Appoint or elect:</i> Fitness Chair Safety Chair Vice Chair Long Distance Chair Awards Chair
Appoint member(s) to the House of Delegates (even if those members cannot attend convention).	-Send delegates from LMSC for all allotted positions to USMS Convention. -Have LMSC delegates serve actively in their LMSC. -Reimburse delegates for expenses incurred attending convention.
	Plan for orderly succession in the organization, including club representation and new people to succeed.
	Set annual goals and a realistic plan to achieve them.

Required	Suggested
	Obtain feedback from members (formally or informally) to determine what they want from the organization and take steps to achieve them.
	Provide resources and support for coaches, including, but not limited to: -Create a Coaches Committee so that they can learn from each other and assist each other. -Provide scholarships to coaches clinics.
	Ensure that LMSC events are successful by coordination of finance, sanctions and registration.
Follow the USMS logo style guide and use the logo appropriately. Obtain approval from USMS National Office before allowing a 3 <sup>rd</sup> party to use the logo on merchandise, or when a club or sanctioned event uses or contracts to use the logo.	
	Have term limits for the LMSC Chairman.

## Bylaws & Administration

Required	Suggested
Each LMSC shall be governed by bylaws consistent with USMS objectives and goals and the state in which the LMSC is located.	<p>The bylaws document should include the following:</p> <ol style="list-style-type: none"> <li>1. Statement of Purpose</li> <li>2. Goals and Objectives.</li> <li>3. Declaration of nonprofit status.</li> <li>4. Management structure, including directors, officers, committees, and their duties and responsibilities.</li> <li>5. Election process.</li> <li>6. Procedure for filling vacant positions between elections.</li> <li>7. Procedure for removing directors, officers or committee members.</li> <li>8. Members and voting rights.</li> <li>9. Meeting requirements, including requirements for notice and quorum.</li> <li>10. Financial requirements, such as those relating to loans and expenditures.</li> <li>11. Indemnification.</li> <li>12. Procedures to amend bylaws.</li> <li>13. Grievance procedure.</li> </ol>

Required	Suggested
	14. Dissolution procedure.
LMSC bylaws must provide for the periodic election of LMSC officers.	Assure broad representation of clubs.
LMSC bylaws must require the LMSC hold an annual meeting that is open to all individual members of the LMSC. Club business may not be conducted during an LMSC meeting (or vice versa).	
A copy of the current LMSC bylaws shall be on file with the USMS National Office.	Make available the bylaws on the LMSC website or by other means for any LMSC member.
LMSC bylaws shall contain procedures for handling disputes within the LMSC.	Assure that a dispute is handled in a timely and efficient manner.
LMSC bylaws or policy shall describe the duties and responsibilities of the chair, of the position responsible for pool meet sanctions and recognitions, of the position responsible for long distance/open water event sanctions and recognitions, of the financial officer, of the position responsible for membership registration, of the position responsible for recording meeting minutes, of the position responsible for recording and reporting Top 10 times, and of the position responsible for reporting USMS and world records.	

## Registration

Required	Suggested
Notify clubs of USMS club renewal process no later than October 31st.	Notify clubs of USMS club renewal process no later than October 1st.
Register clubs annually, within 14 days of the date of receipt of the form.	<ul style="list-style-type: none"> <li>- Send e-mail notification to club with links to paper form and online system.</li> <li>- Mail paper renewal form (invoice) to clubs who do not have e-mail.</li> </ul>
Notify current members of USMS renewal process.	<ul style="list-style-type: none"> <li>- Send e-mail notification with links to paper form and online system.</li> <li>- Mail paper renewal form (invoice) to those who do not have e-mail.</li> <li>- Notify members of renewal process by January 1<sup>st</sup>.</li> </ul>
Process individual registrations in a timely manner; within 15 days.	Process all registrations by the end of the month.

Required	Suggested
Print and deliver cards for all paper registrations, and, if requested, to online registrants.	<ul style="list-style-type: none"> <li>- If LMSC chooses to mail cards to all members, do so in a timely manner (suggested to be within 7 days).</li> <li>- If LMSC chooses to mail cards only to requesting members, do so in a timely manner (suggested to be within 7 days).</li> <li>- Mail “welcome letter/donation receipt” with USMS card.</li> <li>- E-mail “welcome letter” to members who choose not to have a card mailed.</li> </ul>
Deposit checks and cash for registrations in a timely manner and reconcile registrations, donations, etc., with money received. The registrar (or designated person other than the registrar) who makes the deposits, shall keep the treasurer informed as to the deposit amounts and categories.	
Make USMS registration forms available for prospective members.	<ul style="list-style-type: none"> <li>- Create registration form (can use standard USMS template in USMS Guide to Operations).</li> <li>- Post registration form on website.</li> </ul>
Maintain paper registrations (dry, secure and safe) for legal time period as required by state law.	

## Communications

Required	Suggested
Make USMS registration forms available for prospective members.	<ul style="list-style-type: none"> <li>- Post registration form on website.</li> <li>- Post link to online registration system.</li> </ul>
Assure that communications are sent at least once a year to all members.	<p>Assure that communications are made for each season (SCY, LCM, SCM) to all registered members:</p> <ul style="list-style-type: none"> <li>-via email updates</li> <li>-by posting on website</li> <li>-by mailing via USPS</li> </ul>
	Post annual meeting minutes on website.
	Create and maintain an LMSC website.
	<p>Post a schedule of sanctioned events:</p> <ul style="list-style-type: none"> <li>- Assure that sanctioned events are publicized.</li> <li>- Submit sanctioned events to USMS website.</li> </ul>

Required	Suggested
	Post information for meet directors, including: - Sanction/recognition forms and procedures. - Meet Director's Manual. - Links to insurance information and forms.
	Post information for clubs, including: - How to start a club. - Resources/links for clubs.
	Post meet results for meets held within LMSC: -on the LMSC website -in the USMS Results database
	Post and maintain LMSC records.
	Keep the USMS Places to Swim up to date.

## Finance

Required	Suggested
Registrar and Treasurer must be separate individuals.	
LMSC bonding insurance provided by USMS, which covers LMSC officers, requires the following: (a.) Bank accounts be reconciled monthly by a person other than a person who is authorized to sign checks (b) Dual signatures are required on all checks of \$5,000 or more.	
Checks received from USMS are deposited within 60 days of receipt.	Checks received from USMS are deposited within 30 days of receipt.
Registration payments are made to USMS within one week of receipt of prior month's invoice from National Office unless amount is clearly immaterial; All payments for registration, regardless of amount are due within 60 days to National Office.	Registration payments are made to USMS National office regardless of amount within 30 days.

Required	Suggested
	<p>Within a week after the end of each month, the Registrar is required to provide the treasurer with the following reports: check registrations for the month indicating amount due to USMS, credit card registrations for the month indicating amount due from USMS to the LMSC/clubs. The Treasurer is responsible for reconciling the check report to the National Office invoice, for reconciling the credit card report to the check received from USMS, and resolving any differences. This information should be retained as backup for checks written or received related to registration.</p>
<p>Submit annual financial statements to USMS National office within four months of the LMSC's year end. Each LMSC must use the same fiscal year as USMS, which is a calendar year. The financial statement should include an income statement with itemized revenues and expenditures and a balance sheet, based on sound accounting principles.</p>	<p>Make annual financial statements of LMSC available to membership via website or other mean of communication (newsletter/email if applicable).</p>
<p>Retain support for all expenditures greater than \$25 in accordance with IRS guidelines and with business purpose clearly documented on receipt or in LMSC books.</p>	<p>Support should be maintained for a minimum of 3 years and possibly as long as 7 years after the tax filing deadline for the year.</p>
	<p>LMSC should not budget or operate in a cash deficit position for any 12 month period unless there are adequate reserves.</p>
<p>The LMSC bank account must be separate and distinct from any other account. LMSC's may not comingle funds with club funds for any reason or accept payment for matters not pertaining to the LMSC, member registration, or LMSC sanctioned or approved events.</p>	
	<p>To facilitate preparation of the annual LMSC operating budget, on a monthly or quarterly basis there should be a review of actual to budget variances of income and expenses by the BOD and others, as deemed necessary.</p>

Required	Suggested
	Financial records for all LMSCs, regardless of annual receipts, should be reviewed at least annually by someone other than the LMSC's treasurer. Such review should include: <ul style="list-style-type: none"> <li>(a) Verification of bank balances</li> <li>(b) Review samples of revenue items</li> <li>(c) Review of expenses documentation</li> </ul>
The LMSC, as a tax exempt organization, must file a return annually with IRS. Based on the amount of gross receipts and total assets, the return will be either Form 990, 990-EZ or 990-N (e-Postcard). Because the dollar thresholds change from year to year we have not listed them here. You can find information at <a href="http://www.irs.gov/charities/">www.irs.gov/charities/</a> . You may use the USMS Controller as a resource if you need assistance.	
Any changes of treasurer or registrar must be reported to the National Office Administrator, Registration Committee Chair, and Controller as soon as known: Information is to include: name, address, phone, and email.	

## Top Ten

Required	Suggested
Submit LMSC Top 10 to USMS by the deadline for each course.	Maintain records for the LMSC.
Ensure all submitted results are from USMS registered members, and that registration numbers are valid.	
Ensure that all results are from facilities that meet pool certification requirements.	

## Officials

Required	Suggested
Ensure that all events meet minimum requirements as described in the USMS Rule Book (e.g., at least one official certified at stroke and turn level by a recognized body).	
	Maintain good communication with LSC in order to grow the officials list and keep them updated on the rule differences. Ensure that officials are experienced and certified for the position they are working, and the number of officials is appropriate for the facility and event.
	Appoint an Officials chair who is knowledgeable in the rules for masters swimming and who is certified by a governing body (e.g., USA Swimming, NCAA, YMCA, USMS). Duties would include keeping a list of certified officials for meets. Meet directors can go to the Officials chair for help in locating officials.

## Events, Sanctions and Recognitions

Required	Suggested
Provide a process for obtaining an LMSC sanction or recognition after determining that all prerequisites are met (e.g., officials, pool length).	

Required	Suggested
All sanctioned and recognized events shall be run according to USMS rules and regulations Ensure all participants are USMS members for sanctioned events.	
	Run one Recognized or Sanctioned Pool or Open water meet, with results reported to USMS.
	Hold clinics for members.
	Promote USMS meets, postal, and fitness events.
Provide event directors with a list of required activities for conducting an event.	
Submit USMS and World record applications within 60 days and submit results to the USMS Meet Results Database.	

### Remediation Procedure for LMSCs that Fall below LMSC Minimum Standards

1. **Purpose** – This procedure’s primary purpose is to assist the various LMSCs with attaining and maintaining LMSC required minimum standards. It should be accomplished with the minimum intervention and oversight by USMS or its National Officers.
2. **Notice of LMSC Not Maintaining Required Minimum Standards** – Any member of U. S. Masters Swimming, any LMSC or any employee of U. S. Masters Swimming may transmit notice, in writing, to the vice president of local operations, (VPLO) that an LMSC has fallen below its minimum standards. Upon receipt of such notice, the VPLO shall record its filing and shall send a copy of the notice to the chair of the LMSC.
3. **Investigation** – Upon receipt of a notice that an LMSC has fallen below its minimum standards, the VPLO will determine, within 14 days of receipt of the notice, whether the deficiency is serious. Matters that appear to involve compromising an LMSC's finances, failure to keep financial records, failure to have a financial officer or failure to file any tax return shall be considered serious.
  - a. **Informal Resolution** - If the VPLO determines the matter is not serious and easily remedied, the VPLO may informally notify the LMSC of the failure and counsel correction of the problem. If the matter is corrected, no further action shall be taken.
  - b. **Formal Resolution** - If the VPLO does not handle the matter informally, or if any informal resolution is not effective, the VPLO will, within one month of the receipt of notice, cause an investigation to be conducted. The VPLO may investigate the matter personally, or may appoint an investigative panel with a sufficient number of persons and expertise to conduct the investigation. The VPLO will assign a specified time for the investigation to be completed, based on its complexity and the gravity of the potential failed minimum requirement, giving priority first to financial matters, second to administrative matters, then to all other matters. The person or committee conducting the investigation will obtain information from the LMSC, and other relevant resources, assess the situation, and shall reduce its findings to a written

- report, which shall be transmitted to the Board of Directors and the chair of the LMSC. If minimum standards are met, no further action beyond the filing of the report shall be taken. If a deficiency is found, but has been corrected by the time for filing the report, this information will be included in the report.
4. **Responses** – The Executive Committee may initiate any temporary remedial procedure it deems necessary to avoid or alleviate a compromise to the LMSC or USMS’s finances or IRS status, to prevent a serious failure of service to members or to prevent other impending irreparable harm or whatever is necessary if the situation is deemed to be an emergency as in 507.1.3(C).
  5. **Recommended Remediation Plan** – The VPLO shall issue a written recommended remediation plan for the LMSC. The recommended remediation plan will be designed to correct the deficiency with the minimum intervention from USMS or its national officers, and will set a final date for completion of the plan. This plan may be informal if the deficiency is easily corrected. In any event, the recommended remediation plan will be transmitted to the chair (or any other available officer) of the LMSC and to the Executive Committee. The Executive Committee may approve, deny, or amend the recommendation. Upon approval of the Executive Committee, the VPLO or designee(s) will institute the remediation plan, and will assign a date for review of the LMSC’s progress.
  6. **Successful Remediation** – As long as the LMSC is in compliance with the remediation plan, no further action will be taken. Upon final completion of the remediation plan, the successful conclusion will be recorded by the VPLO.
  7. **Unsuccessful Remediation** – If the LMSC involved does not comply with the remediation plan or if it does not complete the plan within the allotted time, the VPLO will record this fact and notify the Board of Directors of the need for further action, in accordance with USMS rules and policies.
  8. **Record Keeping** – All items in this procedure that require a written record shall be maintained by the VPLO for at least one year from the original suggestion of failure of minimum standards, final completion of any remediation plan or final action by the Board of Directors, whichever is later.