

One-Event Registration Waivers

May 6, 2011 – A. L. Matysek

For sanctioned events that allow online entry, one-event registrations may be sold and electronically signed online as part of the event entry process.

Event participants may enter an event and purchase a one-event registration at the same time during the online process. The online vendor or event director is required to verify USMS registration. If the participant's USMS membership cannot be verified, the participant is required to purchase a one-event registration.

Goal: USMS would like to streamline the one-event entry process to make it as easy as possible for event directors, event participants, and LMSC registrars.

Background: USMS allows one-event registrations for some of its sanctioned events. A one-event registration provides USMS insurance coverage to the participant and the event. The one-event registration does not allow the participant to swim in legal relays, set national records, or be included in Top Ten listings.

The one-event registration process used to be a paper process. The participant filled out a one-event paper form, which included the standard USMS liability waiver, and paid a one-event registration fee. The event director collected all of the one-event forms and checks and forwarded them to the local LMSC registrar. Either the event director or the LMSC registrar entered all of the one-event participants' personal information (name, address, date of birth, etc.) into an Excel spreadsheet. The spreadsheet was forwarded to the USMS National Office and was used to bill the LMSC for the appropriate one-event fees (currently \$12.00 per participant).

Event participants also filled out an event entry form. This entry form also contained the standard USMS liability waiver. The participant was required to sign the waiver.

Exhibits A and B contain correspondence from the USMS legal counsel and our insurance broker from Risk Management Services. This correspondence indicates that **the USMS legal counsel and the USMS insurance broker both agree that an online signature on the event entry form waiver is also sufficient for our one-event registration waiver.** (The two waivers contain identical text.)

In other words, an event participant may now sign one waiver, during the online event entry process, that covers both the event entry and the purchased one-event registration.

Suggested Process

Situation A: Only online event entries

- Swimmer enters meet online
- Swimmer indicates that he is also purchasing a one-event registration
- Swimmer electronically signs waiver
- Meet director downloads spreadsheet from online registration system
- Meet director sends spreadsheet to LMSC registrar
- Meet director sends check for one-event registrations to LMSC registrar

Situation B: Both online and paper event entries

- Online entries:
 - Swimmer enters meet online
 - Swimmer indicates that he is also purchasing a one-event registration
 - Swimmer electronically signs waiver
- Paper entries:
 - Swimmer enters meet on paper form
 - Swimmer fills out paper one-event registration form
- Meet director downloads spreadsheet from online registration system
- Meet director manually adds paper one-event registrations to spreadsheet
- Meet director sends spreadsheet to LMSC registrar
- Meet director sends check for one-event registrations to LMSC registrar

Situation C: Only paper event entries

- Swimmer enters meet on paper form
- Swimmer fills out paper one-event registration form
- Meet director manually creates spreadsheet from paper one-event registrations
- Meet director sends spreadsheet to LMSC registrar
- Meet director sends check for one-event registrations to LMSC registrar

Exhibit A: Correspondence from Anna Lea Matysek of the USMS National Office to Doug Church, USMS Legal Counsel:

From: Anna Lea Matysek [<mailto:AnnaLea@usms.org>]
Sent: Thursday, September 30, 2010 11:53 AM
To: Doug Church
Cc: Mark A. Gill
Subject: One-event registration waivers

Doug,

We are hosting an open water swim in Sarasota this weekend. We are allowing one-event USMS registrations. The race entries are being collected online by Club Assistant. For those swimmers who are not USMS members, they can pay the additional one-event (OEVT) registration fee online, as part of their race entry.

The race participants who enter online all must (electronically) sign the USMS liability waiver.

For the 34 one-event participants that have signed up, I am planning to make each of them fill out the one-event USMS registration form at the event. I will then mail all of the signed forms, along with a check, to the Florida LMSC registrar. I will also email a spreadsheet to the registrar which lists every participant's name, address, and date of birth.

It seems redundant to ask these participants to sign a paper registration form, when it contains the exact same waiver that they (electronically) signed when they entered the race. But to the best of my knowledge, USMS does not have any sort of policy or procedure in place that would allow me to send only the spreadsheet to the Florida registrar (and not individually-signed forms).

From your perspective, is there any reason that we need to collect a signed OEVT registration form, if the swimmer has registered for the race online and has electronically signed the waiver?

Anna Lea

Reply from Doug Church, USMS Legal Counsel:

Subject: RE: One-event registration waivers
Date: Thu, 30 Sep 2010 14:54:57 -0400
From: Doug Church <dchurch@cchalaw.com>
To: Anna Lea Matysek <AnnaLea@usms.org>
CC: Mark A. Gill <mark.gill@usms.org>

If the one event registrant has registered with USMS on-line and signed up for the event on-line then I think you have what you need....unless the LMSC has approached this differently. From an insurance standpoint, you are covered with the electronic signatures on both the registration and the entry. Doug

Exhibit B: Correspondence from Anna Lea Matysek of the USMS National Office to Sandi Blumit, Risk Management Services, Inc.:

From: Anna Lea Matysek [<mailto:AnnaLea@usms.org>]
Sent: Monday, November 01, 2010 1:11 PM
To: Sandi Blumit
Cc: Mark A. Gill; New England - Tracy Grilli
Subject: Fwd: RE: One-event registration waivers

Sandi,

I posed this question to our legal counsel, Doug Church, and now I am going to ask you the same question. It is in regard to one-event USMS registrations.

We recently hosted an open water swim in Sarasota. We allowed one-event USMS registrations. The race entries were collected online by Club Assistant. For those swimmers who were not USMS members, they could pay the additional one-event (OEVT) registration fee online, as part of their race entry.

The race participants who entered online all were required to (electronically) sign the USMS liability waiver as part of the race entry process.

For the OEVT participants who signed up, I required each of them fill out the one-event USMS registration form at the event. I then mailed all of the signed forms, along with a check, to the Florida LMSC registrar. I also emailed a spreadsheet to the registrar which lists every participant's name, address, and date of birth.

It seemed redundant to ask these participants to sign a paper registration form, when it contained the exact same waiver that they (electronically) signed when they entered the race. But to the best of my knowledge, USMS does not have any sort of policy or procedure in place that would allow me to send only the spreadsheet to the Florida registrar (and not the individually-signed forms).

From your perspective, is there any reason that we need to collect a signed OEVT registration form, if the swimmer has registered for the race online and has electronically signed the waiver? The vendor collecting the race entries archives them indefinitely, just as they do for our USMS annual registrations.

Asked another way, is there any reason why we could not sell OEVT registrations online and do away with the paper forms? I believe we would convince many more meet directors to accept OEVT registrations if they could do it entirely online.

You can see our legal counsel's response to my question below.

Anna Lea

Reply from Sandi Blumit, Risk Management Services, Inc.:

Subject:RE: RE: One-event registration waivers
Date:Mon, 01 Nov 2010 13:38:39 -0700
From:Sandi Blumit <sblumit@theriskpeople.com>
Organization:Risk Management Services, Inc.
To:'Anna Lea Matysek' <AnnaLea@usms.org>
CC:'Mark A. Gill' <mark.gill@usms.org>, 'New England - Tracy Grilli' <tracyswims@mindspring.com>

I agree with Doug. If you have the electronic waiver, it's not necessary to have a paper waiver as well.

Regards,
Sandi

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