

UNITED STATES MASTERS SWIMMING POLICY

Approved by the USMS Board of Directors September 28, 2008

Note: This is an evolving document and will be updated continually.

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I. Mission, Objectives and Core Values

The Mission Statement and the Goals and Objectives of United States Masters Swimming are included in the USMS Rule Book under *Organizing Principles*.

Core Values

Healthy lifestyle

- Fitness
- Longevity
- Wellness

Camaraderie

- Fun
- Friendships
- Social activities

Educational resources

- Information
- Communication
- Safety

Coaching and training

Competition

Organizational

- Uniqueness of the athletes governing the organization
- Heritage
- Volunteerism
- Staff
- Quality leadership

Personal

- Integrity
- Growth and confidence
- Passion
- Commitment
- Positive attitude

II. Organizational Structure

A. USMS Executive Committee

1. The legislation that defines the Executive Committee positions can be found in the USMS Rule Book (Article 507).
2. Role of the Executive Committee
 - a. Policy Statement: The Executive Committee shall consist of the president, the four vice presidents, the secretary, the treasurer and the immediate past president. The executive director and the legal counsel shall serve ex officio with voice but no vote on the Executive Committee. Members of the EC are also members of the BOD. The EC acts on behalf of the BOD pursuant to the policies and procedures established on an ongoing basis during the year. The EC shall report regularly and routinely to the BOD concerning its activities on behalf of the organization. Each individual member of the EC will report on his/her activities in the fulfillment of his/her duties and responsibilities as an officer of USMS.
 - b. The Executive Committee shall:
 - (1) assume a leadership role for USMS for:
 - supervision of the organization's annual meeting;
 - development of future leaders for USMS;

- communication to members of USMS regarding matters of importance;
 - cooperation and partnering with international Masters organizations and other international swimming organizations, acting by and through the president of USMS or his/her designee;
 - recommendations regarding sound management practices within USMS;
 - recommendations regarding USMS sponsorship contracts and licenses, and publications; and recommendations regarding efforts in core value development at all levels of USMS with particular emphasis on setting goals and objectives and identifying missions for standing or special committees of USMS.
 - management of employees and contractors (hiring, termination, evaluation, compensation) as delegated to it by the BOD.
- (2) oversee and review the activities of all USMS committees acting by and through the vice presidents of USMS with their respective committees as listed in Appendix E.
 - (3) prepare and forward regular program, management and other recommendations to the BOD;
 - (4) pursuant to policies established by the BOD, oversee the conduct of the affairs of USMS;
 - (5) have all powers not reserved elsewhere in these bylaws to others and act in an emergency for the BOD between meetings.
 - (6) assume responsibility for the day to day management of the corporation.

B. USMS Board of Directors

1. The legislation that defines the Board of Directors positions and the powers of the BOD can be found in the USMS Rule Book (article 506).
2. Role of the Board of Directors
 - a. Policy Statement: The USMS Board of Directors has very specific duties. Directors have fiduciary responsibilities (an obligation to act for another under circumstances that require total trust, good faith and honesty). They are required to act within their authority solely for the benefit of USMS. Directors do not have power or authority to act individually. The Board's decision-making power lies in those powers established within the bylaws of the corporation. The USMS Board has the responsibility for determining and implementing the corporation's values, vision, mission and objectives and for ensuring its own succession. Through the committees established by the HOD, the Board develops policy and engages in planning with the assistance of committees and staff. The Board has the authority to act on behalf of the organization between meetings of the House of Delegates. The Board can, at its discretion, delegate its authority.
 - b. Summary of significant Board of Director duties:
 - (1) Participate in Board activities: meeting attendance (at least two meetings: convention and midyear), discussion participation (at least two conference calls, numerous email discussions)
 - (2) Determine the organization's mission and purposes

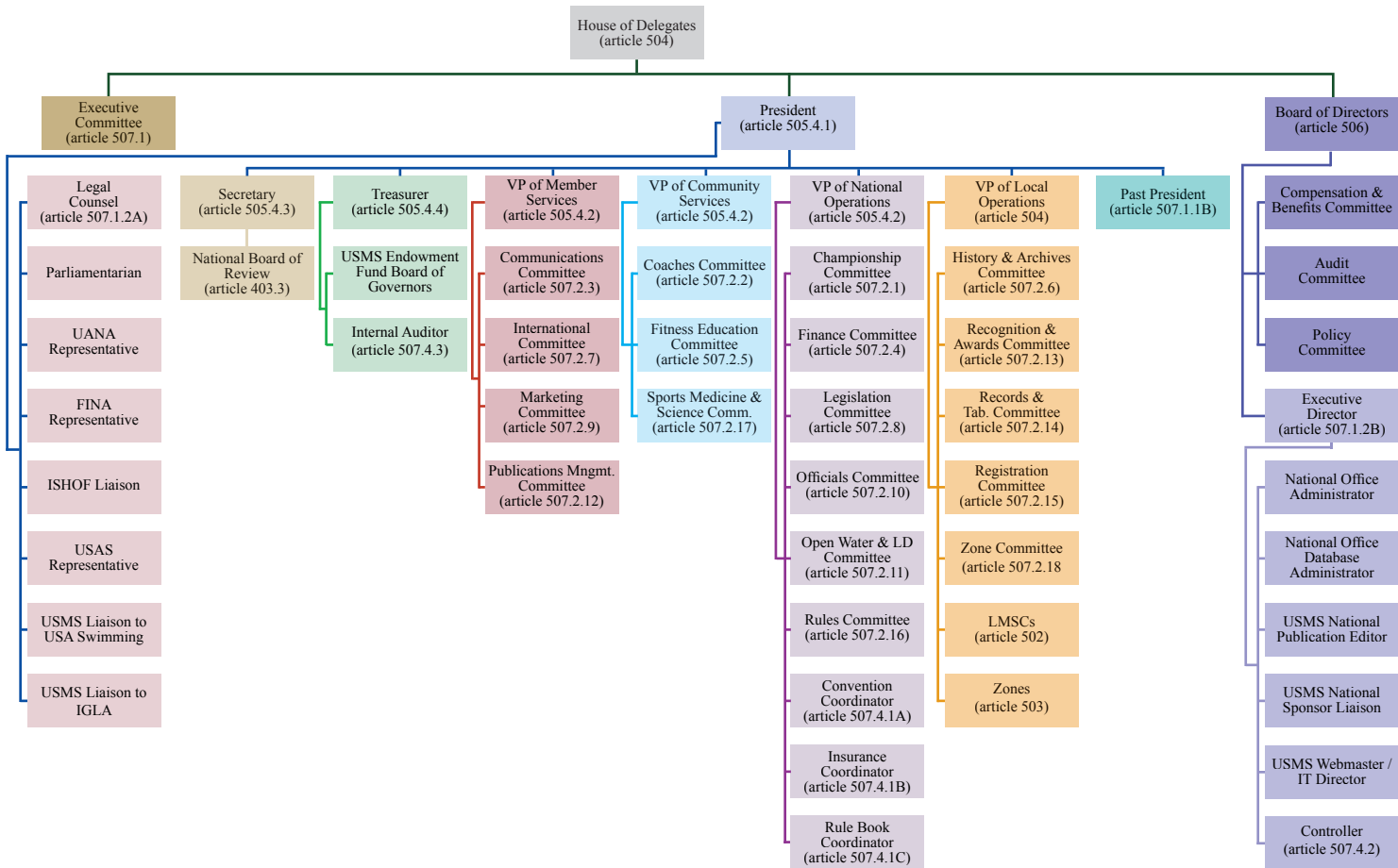
- (3) Develop and approve policy
- (4) Establish organizational priorities
- (5) Ensure effective organizational planning (strategic and long range)
- (6) Ensure adequate resources
- (7) Manage corporate resources
- (8) Determine and monitor the organization's programs and services
- (9) Enhance the organization's public image
- (10) Assess its own performance and practices
- (11) Carry out Board financial, legal and public responsibilities
- (12) Understand and communicate the organization's mission
- (13) Oversee the organization's compliance with legal regulations, licensing and other standards
- (14) Exercise approval of outside counsel (legal, accounting, managerial)
- (15) Oversee the management of staff and contractors including, but not limited to, hiring, termination, evaluation and compensation.
- (16) Oversee the organizational financial structure and activity, including income, expenses, borrowing, insurance coverage, audits, bank relations, fund-raising and other financial procedures
- (17) Oversee new Board member orientation.

C. USMS House of Delegates

1. The legislation that defines the membership in the House of Delegates and the powers of the HOD can be found in the USMS Rule Book (article 504).
2. Role of the USMS House of Delegates

Policy Statement: The House of Delegates of USMS is the ultimate legislative and fiscal body of the organization. It will meet at least annually in convention to hear and consider the matters within its authority. As such, its determinations will, of necessity, set the course of action for the Board of Directors, the Executive Committee and all professional staff for the year. Its organizational responsibility as the ultimate legislative and fiscal body is to be distinguished from the implementation and executive responsibilities of the BOD, the EC and the professional staff. The establishment of policy by the HOD does not prohibit the BOD from creating policy so long as such policy is not inconsistent with the organizational responsibilities of the HOD as set forth in the bylaws of USMS or in other policy that has been enacted by the HOD. The HOD, by electing and empowering officers and directors, should allow the EC, the BOD and the professional staff to work to meet the established goals and objectives of the organization.

D. Organizational Chart



III. USMS Executive Director and Employees/Contractors

A. Executive Director

The USMS executive director is hired and evaluated by the Board of Directors.

B. Other Employees and Contractors

For information about staff-related policies, see the Professional Management Guidelines or contact the executive director.

IV. Committee Administration

A. Vice Presidents and Divisions

Standing committees are defined in the USMS Rule Book (article 507.2). Committee chairs report to vice presidents as listed below.

1. Vice President of National Operations:
Championship, Finance, Legislation, Officials, Open Water and Long Distance, Rules.
2. Vice President of Local Operations:
History and Archives, Recognition and Awards, Records and Tabulation, Registration, Zone.
3. Vice President of Member Services:
Communications, International, Marketing, Publications Management.
4. Vice President of Community Services:
Coaches, Fitness and Education, Sports Medicine and Science.

B. Procedures and Policies

Policies and procedures for document retention and budgeting can be found in the Handbook for Committee Chairs.

V. Description and Mission Statement for Committees, Coordinators and Appointments

A. Standing Committees

Committee descriptions and missions statements are included in the USMS Rule Book (article 507).

B. Coordinators

Coordinator descriptions and mission statements are included in the USMS Rule Book (article 507).

C. Appointments

1. Descriptions for the following are in the USMS Rule Book (article 507):
 - a. Controller
 - b. Internal auditor

- c. Legal counsel
2. National Board of Review: The authority of the National Board of Review chair can be found in the USMS Rule Book (article 403).

D. Special Assignments and Liaisons

1. Enabling legislation can be found in article 507.
2. FOG (IV,C,2) authorizes payment of the convention registration fee for special assignments and liaisons.
3. Current special assignments and liaisons and descriptions of duties:
 - a. Union Americana de Natacion (UANA): The UANA representatives represent the Masters interests of USAS on the UANA Masters Technical Committee. They are ex officio members of the USMS International Committee, coordinate championship opportunities and serve as consultants on international affairs to USAS on Masters-related topics and to the USMS president and executive director, as they pertain to the Americas and Caribbean nations.
 - b. FINA Representative: The FINA representative represents the Masters interests of USAS to the FINA Masters Technical Committee. The FINA representative is an ex officio member of the International Committee, coordinates championship opportunities and serves as a consultant on international affairs to USAS on Masters-related topics and to the USMS president and executive director.
 - c. International Swimming Hall of Fame Liaison: The ISHOF liaison is responsible for informing the Board of Directors of activities of interest to USMS: the ISHOF induction ceremonies, the IMSHOF induction ceremonies any other activity open to the swimming public.
 - d. Parliamentarian: The parliamentarian is an expert in rules and procedures and advises the president on matters of procedure. The parliamentarian gives advice; the president makes rulings.
 - e. U.S. Aquatic Sports Representative: The USAS representative represents the interests of USMS on the USAS Board of Directors.
 - f. USA Swimming Liaison to USMS: The purpose of the USA Swimming liaison to USMS is to share information between the Board of Directors of the two organizations.
 - g. USMS Liaison to International Gay and Lesbian Aquatics: The USMS liaison to IGLA facilitates communication between USMS and IGLA primarily by interacting with the governing bodies of both organizations. The IGLA liaison updates USMS on any IGLA activities that may affect USMS. Conversely, the IGLA liaison updates IGLA on any USMS issues affecting IGLA.
 - h. USMS Liaison to USA Swimming: The purpose of this position is to provide for ex-officio representation on each organization's Board of Directors to provide insight into policies, protocols, operations, programs, personnel and personalities to promote better and ongoing relations between the two organizations. The USMS liaison must be a member of USA Swimming and attends the meetings of the USA Swimming Board of Directors and reports actions and items of interest directly to the USMS president. The USMS liaison reads and decides which publications, memos, documents, emails, letters and other communications from

USA Swimming may be of a mutual interest to USMS and forwards these items to the USMS president for his/her information and/or action.

- i. Graphics Specialist: The graphic specialist will assist various USMS committees and leaders in the design and production of materials to promote USMS programs to a variety of internal and external audiences. The specialist will work with the professional staff, ensuring a consistent graphic approach.
- j. Risk Management Specialist: The risk management specialist will evaluate operational policies and practices from an aquatic safety and risk management perspective; advise USMS of current best practices relating to hosting or sponsoring aquatic events and programs; review aquatic safety elements of meet bids and program proposals; and provide aquatic safety information and resources to help minimize USMS exposure to loss due to aquatic injuries and accidents that may occur.

VII. Procedure for Amending Policies

A. USMS Policies

USMS policies will be reviewed at least annually by the Board of Directors. Changes in policy require a majority vote of the BOD.

B. Committee Policies

Internal committee policies will be maintained by the relevant committees. Changes in committee policies are to be included in the committee's report to the convention. Changes in policy between conventions should be submitted to the BOD for approval.

VIII. USMS Policies

A. Financial Policies of the Corporation (Finance Committee)

1. Budget Process—Statement of Policy: Reviewing and approving the annual budget are fully the responsibility of the House of Delegates and shall not be delegated (Article 504).
2. Financial Operating Guidelines (FOG): Reviewing and approving FOG is the responsibility of the House of Delegates. FOG is posted at www.org/admin/FOG.pdf

B. Board of Directors Policy

1. Committees reporting to the Board of Directors
 - a. Policy Committee. The president shall nominate and the Board shall approve appointments to the Policy Committee. The Policy Committee is responsible for maintaining the USMS Policy Manual. The committee will present updates and changes to the BOD for review and approval. The committee will also advise and assist committees, coordinators, liaisons, and special appointments in maintaining policy related to their mission.

- c. **Compensation and Benefits Committee.** The purpose of the Compensation and Benefits Committee is to discharge the responsibilities of the Board of Directors with respect to overseeing the corporation's and the executive director's overall compensation. The committee shall be composed of five members with expertise in human resources, compensation and benefits administration, financial management or nonprofits and who are not employees/contractors of the corporation. Annually, the president shall put forth qualified candidate(s) to assume the expired terms of any members, with appointment by the Board. The president shall put forth qualified candidate(s) to assume the unexpired term of any member who is removed or resigns from the committee. The president shall appoint a chair from among the members of the committee. The executive director, treasurer, president and members of the committee are the only persons authorized to have access to compensation information. The executive director may share this information with others, as necessary, to conduct the business of the Corporation.

Initial terms for committee members will be staggered. One committee member will be on the committee for one year, another for two years, another for three years, another for four years and the last for five years. All of the initial members who were appointed for terms of less than five years may be reappointed for an additional five years beyond their initial term.

- d. Governance Committee

C. Professional Management Policy (Board of Directors)

Professional management policy can be found in the Professional Management Guidelines in Appendix A. PMG is also posted at www.usms.org/admin/pmg.pdf

D. Election Policy of the Corporation (Zone Committee)

Election policy can be found in Appendix A. It is also posted at www.usms.org/admin/eog.pdf

E. National Board of Review Policy (Board of Directors)

Enabling legislation, jurisdiction, authority and appeals procedures can be found in the Rule Book in article 403.

F. Communications Policy (Communications Committee)

Web management guidelines can be found at www.usms.org/admin/wmg.pdf

G. Editorial Policy (Publications Management Committee)

Publication policies can be found at www.usms.org/admin/policies/pubs_policies.pdf

H. Privacy Policy

1. Privacy policy passed by the BOD 9-28-07 and amended 2-09-08:

To protect the confidentiality of members' USMS registration information, this information may only be disclosed for official USMS and LMSC business to authorized persons or agencies for use specifically relating to the conduct of Masters swimming. Examples of legitimate reasons for disclosure include:

- A director of a sanctioned event wishing to compile a list of athletes in the meet database, may receive a report of an LMSC's members including member names, birth dates, ages, clubs, ID numbers and genders.
- A certified representative of a member club wishing to verify and communicate with club members may receive a report of club members including names, ID numbers, mailing address and email address.

Those given access to member information must sign a statement that they will use the information only for the specific purpose for which the information was requested.

2. Mailing Labels

We will provide mailing labels with our members' names and addresses to our sponsors upon their request. We will also provide mailing labels to LMSCs and member clubs within our organization for a good reason (for example, to distribute zone meet information). In the past, we also have shared personal identifying information on a random basis in connection with USMS-approved medical research projects or marketing analyses; and we reserve the right to do so again in the future.

3. Review of Privacy Practices.

- a. Privacy practices are reviewed on a continuing basis.
- b. Anyone with any questions about USMS privacy policy or practices should contact the National Office.
- c. Any member who wishes to be excluded from any use of personal information as described above should contact the National Office.

United States Masters Swimming

National Office

P.O. Box 185

Londonderry, New Hampshire 03053-0185

Telephone: (603) 537-0203; Fax: (603) 537-0204

- ### 4. Privacy Issues for the USMS Website: On the website, some personal identifying information for members listed in the member directory, LMSC officers and members of USMS's national administration is provided. To be included in the member directory, members must notify the National Office that they wish to be included in that listing. Local and national officers are listed automatically on our website, and their names, addresses and telephone numbers are provided. Email aliases only are listed on the website. Other than members (who must affirmatively request to be included), personal information for local and national officers is provided to enable USMS members to contact them regarding USMS business. Finally, for anyone who enters and competes in swim meets, results may be posted on the USMS website, and those results may include personal information such as age.

At this time, "cookies" are used on the website only in connection with discussion forums. If an account is set up in a USMS discussion forum, a cookie will be placed on the hard drive to enable the member to access the forum in the future and to show all messages that have been posted on discussion topics in which the member participated during the last visit to the forums. USMS reserves the right to change this policy in the future.

The site uses an event entry form to allow swimmers to enter our national championship events. To process these online meet entries, swimmers' contact information (their U.S. Postal Service and email addresses), financial information (their account or credit card numbers) and demographic information (their age) are collected. Contact information from the entry form is used by the event host to disseminate breaking information regarding the event. Financial information is used to bill swimmers for event entry fees.

The website contains links to other sites. United States Masters Swimming is not responsible for the privacy practices or the content of any other websites. Please check their privacy policies to find out what information is collected from those sites and how it is used.

The website makes forums, message boards and/or news groups available to its users. A member is not required to divulge personal information in order to participate in a public forum. Please remember that any information that is disclosed in these areas becomes public and caution should be exercised when deciding to disclose personal information.

This site has security measures in place to protect the loss, misuse and alteration of the information under our control. Private information that is gathered during the event entry process is transmitted via encrypted communications, and is not stored in web-accessible areas.

The USMS national registration database of information collected from our members is maintained on an offline system within the control of the National Office. Only those USMS employees and employees of our online registration service provider who compile and maintain this information have access to this system.

I. Confidentiality Policy

1. Purpose. In the course of fulfilling its mission to promote fitness and health in adults by offering and supporting Masters swimming programs, USMS collects and creates confidential information. The purpose of this policy is to ensure that disclosure of confidential information is limited to authorized persons and authorized business purposes.

2. Directors, employees, contractors and volunteers of USMS shall not disclose, divulge or make accessible confidential information belonging to or obtained through USMS or its members to any person, other than to persons who have a legitimate need for such information and to whom USMS has authorized disclosure. Directors, employees, contractors and volunteers shall use confidential information solely for the purpose of performing services for USMS. This policy is not intended to prevent disclosure where disclosure is required by law.

3. Examples of confidential information include, but are not limited to:

- a. Personal identification information about USMS members, which is any piece of information that can potentially be used to uniquely identify, contact or locate a single person.
- b. Negotiations and business arrangements with sponsors, vendors, contractors, lessors and other potential or actual business associates
- c. Proprietary information that allows USMS to be more competitive in the marketplace, such as future marketing or business plans.
- d. Information about litigation and/or investigations.
- e. Information created or obtained during an employee hiring process.
- f. Information created or obtained in the context of an ongoing or former employment relationship, such as salaries and wages, social security numbers, financial information or performance records.

J. CONFLICT OF INTEREST POLICY

1. To ensure there is no perception of bias and to ensure the integrity and fairness of decisions made by USMS, all members in decision-making positions (officers, members of the Board, employees and contractors) must maintain the highest level of integrity and ethical behavior.
2. In the event that any officer, member of the Board of Directors, employee or contractor has a financial interest in any contract or transaction involving the Corporation, such individual shall not participate in the Corporation's evaluation or approval of such contract or transaction unless the material facts of the relationship or interest are disclosed and known to the President; or in the case of financial interests of the President, to the Board of Directors. If such disclosure is made, the contracts or transaction shall not be voided if the Board or Committee in good faith authorized the contracts or transaction by the affirmative vote of the majority of the disinterested Directors or Committee members, and provided the contract or transaction is fair to the Corporation at the time it is authorized.
3. On an annual basis, each officer, member of the Board of Directors, employee and contractor shall read and sign the United States Masters Swimming Conflict of Interest Statement.

K. Open Water Policy (Open Water Committee)

Open Water policies can be found at www.usms.org/admin/policies/ldog.pdf

L. Championship Policy (Championship Committee)

M. LMSC Policy

1. Registration
2. Treasurer
3. Bylaws
4. Sanctions
5. Top 10 and Records
6. Document Retention