

Policies and Procedures of Niagara District Masters Swimming, Inc.

General Statement. This Policies and Procedures Manual is adopted pursuant to the Bylaws of Niagara District Masters Swimming, Inc. ("Niagara LMSC") and contains policies, procedures, guidelines, requirements or other provisions of general application throughout Niagara LMSC (that is, applying to all clubs, meets, swimmers, etc.) adopted or approved by the Board of Directors or House of Delegates and intended to remain in effect until amended or appealed.

Conflicts with other Provisions. In the event of any conflicts between this Policies and Procedures Manual and either the Rules and Regulations of United States Masters Swimming, Inc. ("USMS") or the Bylaws of Niagara LMSC from time to time in effect, the Rules and Regulations of USMS or the Bylaws, as the case may be, shall control.

Changes. In accordance with the Bylaws, policies, procedures and programs are established by the Board of Directors. The various provisions of this Policies and Procedures Manual may be modified or rescinded or additional policies adopted by the Board of Directors by a majority vote of the members present and voting at a duly called meeting of the House of Delegates or through digital means where all Board of Directors members have been notified and given up to one month response time.

Sanctions.

Meet Scheduling. The Chair and Sanctions officer shall not sanction more than one meet within the LMSC in one month without majority approval from the Niagara LMSC BOD.

Breaks during competition. Meet directors shall not change the breaks, as they are listed in the meet information. Multiple ten minute breaks are recommended over the course of a competition.

Guidelines/Reporting. Meet hosts shall send the completed Meet Referee Report and Meet Results (backup database and publication order pdf) format to the LMSC Chair, Top Ten Recorder, and Records officer within 14 days from the date of the meet. It is a requirement to run the meet using Hy-Tek Meet Manager.

Meet Bonus. Hosts of a Niagara LMSC sanctioned meet that fulfill all policy requirements along with USMS requirements, will receive a \$450 bonus.

Reimbursements. Non-recurring meet hosts who are subject to a sanction fee, will receive \$100 (of the \$150 sanction fee) if the meet is run in accordance with USMS rules as reported by the meet observer. Additionally, the meet results must be sent to the appropriate Niagara LMSC BOD individuals (Chair, Top Ten Recorder, and Records) in the correct Hy-Tek formats (*.mdb, *.hy3, and *.pdf) within 14 days of the competition.

Penalties. Hosts who fail to comply with Niagara bylaws, P&P, or meet guidelines (including USMS) may be denied sanction or recognition for a period of one year. A simple majority vote by the Niagara BOD shall determine if any such penalties are warranted. Lesser penalties, such as a meet bonus reduction, may be assessed at the discretion of the Chair or BOD.

Meet Cancellation Policy. With the advice and consent of the Chair, the Sanction Chair reserves the right to cancel meets with less than 20 registered participants.

Other Reimbursement Programs.

Relays. Any official relay(s) composed of all Niagara LMSC registered members are eligible for a full reimbursement of the associated entry fee. Eligible competitions include: Colonies Zone Championships, USMS National Championships, FINA Masters World Championships, and USMS Postal Championships.

Club Registration Fee. The LMSC Chair or another LMSC Board member shall renew the NIAG registered club with USMS each year. The LMSC shall fully reimburse that individual.

Annual Convention. The LMSC shall reimburse delegates attending the convention, including the cost of: coach airfare to and from the host city with associated baggage fees, a standard hotel room for the duration of the convention (five nights' maximum) at the host hotel, taxi/ride-sharing/shuttle transportation to and from the airport, convention registration, and all meals.

Online Meet Entry. Club Assistant's Online Meet Entry (OME) service shall be used for all sanctioned competitions in Niagara LMSC. The Sanctions Chair shall assist in the setup and administration. All fees will be the responsibility of the meet host.

Hy-Tek Meet Manager. The LMSC shall pay for a single license/copy of the current version of Hy-Tek Meet Manager, which shall be made available to any meet directors within Niagara that need it and agree to only use it for LMSC sanctioned events. Hy-Tek Meet Manager shall be used for all sanctioned and recognized competitions in Niagara LMSC.

Education. Any member registered with the Niagara LMSC will receive reimbursement for 50% of the registration fees associated with acquiring the USMS-Certified Masters Coach Designation in the 2017 calendar year.

Officials. Officials are eligible for a payment of \$50 per session for any Niagara LMSC Sanctioned competitions, assuming they have met all certification requirements and complete any paperwork required by the Niagara LMSC Officials Chair.

Records. Niagara LMSC Records are open to all USMS registered swimmers who are members of Niagara LMSC per official USMS membership information. This includes members of all Niagara registered clubs. All USMS sanctioned or recognized events are eligible for record consideration. The records must meet the requirements of the National Governing Body (NGB) that sanctioned the event. Split times may be considered for records if the swimmer has completed the USMS Split Notification Form. Split times without the requisite documentation will be accepted for records at the discretion of the Records Chair.

USMS House of Delegates representatives. In accordance with USMS LMSC Standards Policy L5, there shall be at least one appointed member to the House of Delegates. The Chair will be the designated appointee by default, with the Vice Chair serving in his/her place if necessary. Any additional HOD slots will be appointed by the Chair, with majority approval of the Board.

Finance. To comply with the requirement of LMSC Standards, no check above \$5,000 shall be issued without two signatures of Board members. This does not need to be a paid service with the Niagara LMSC bank; rather, the approval of another BOD member is the requirement.

Officer Job Descriptions. For positions not (fully) described within the bylaws:

Top Ten Recorder.

- Upload sanctioned/recognized meet results to the USMS Event Results Database (ERDB) throughout the year, within two weeks of an event's end date .
- Audit the swimmer and relay list in the ERDB for those meets and follow up with meet directors as needed to determine the eligibility of all swimmers who competed. Follow up with swimmers (or the Registrar) directly in the case of discrepancies in registration information.
- Compile and report individual Top Ten times for each course (SCY, LCM, SCM) from all sanctioned LMSC meets and all received recognized meets, by the deadlines, in the proper format, as described in the Guide to Operations (GTO)
http://www.usms.org/admin/lmschb/gto_rectab_general.pdf.
- Report all valid relay times along with the above Top Ten times, per the GTO.
- Work with LMSC meet directors to ensure that appropriate Record Applications (including USMS and World) are submitted in a timely manner to the appropriate person.
- Track LMSC pool measurement forms and submit new forms for inclusion in the national database.
- Follow additional requirements per the LMSC Standards.

Sanctions.

- Issuing Sanctions and Recognitions (via the On-Line Event Sanction portal) for events held within the LMSC boundaries or in the case of open water sanctions/recognitions if the event originates in the LMSC. This includes long distance event sanctions/recognitions. Assist meet directors as needed.
- Direct meet hosts to the LMSC Sanctions section of the website for additional information and assist as needed.
- Send sanctions fee checks (and indicate which meet it is for) to the LMSC Treasurer.
- Follow up with the LMSC Top Ten Recorder to ensure meet results are submitted in a timely manner.
- The Sanctions Chair should be aware of the past performance of meet hosts and call particular attention to any prior deficiencies. A performance bond may be required and further sanctions may be denied to an organization failing to live up to its obligation to conduct such events in accordance with applicable USMS swimming rules and administrative regulations or as stated on the entry form.

Grievance Procedure.

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:

- Violation of the opportunity to participate, as set forth in Article 4.
- Discrimination in violation of Article 5 of the Rules of USMS.
- Any act of fraud, deception or dishonesty in connection with any USMS related activity.

- Any nonconsensual physical contact, obscene language or gesture, or other threatening language or conduct directed toward meet personnel, in connection with a USMS event.
- 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.

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.

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.

Grievance Chair.

The role of Grievance Chair shall be held by the LMSC Chair, unless otherwise appointed or elected by the Niagara LMSC BOD.