

NEW ENGLAND LOCAL MASTERS SWIMMING COMMITTEE BYLAWS

ARTICLE 1: Objectives, Name & Boundaries

- A. Objectives: To promote health, wellness, fitness, and competition for adults through swimming, in accordance with the standards and under the rules of United States Masters Swimming, Inc. and of this Local Masters Swimming Committee (LMSC).
- B. Name and Boundaries: The name of this Committee shall be the New England Local Masters Swimming Committee (NELMSC). Its boundaries shall include the states of Maine, New Hampshire, Vermont, Massachusetts, and Rhode Island. It shall have jurisdiction as delegated to it by USMS over Masters Swimming in Maine, New Hampshire, Vermont, Massachusetts and Rhode Island.

ARTICLE 2: Membership

Membership shall consist of the following:

A. GROUP MEMBERS:

- 1. Swimming Clubs that are registered with USMS within the New England LMSC.
- 2. Each qualifying Club is entitled to appoint at least one and not more than two voting Representatives to the LMSC Board of Directors. Such appointment shall be in writing by the Principal Officer of that Club and may be changed at any time by that Officer. A Club with 5 or more USMS members is entitled to 1 voting Representative. A Club with 1,000 or more members is entitled to 1 additional voting Representative. A Club with fewer than 5 members may appoint a Representative who will be non-voting until the club reaches 5 members. All Representatives must be affiliated in their USMS member record with the Club they represent. This policy shall take effect on July 15, 2015.

B. INDIVIDUAL MEMBERS:

- 1. Any individual member that is registered with USMS in the NELMSC. Individual members shall have all powers and duties. They may:
 - a. Elect Officers
 - b. Ratify or rescind policies or programs established by the Board of Directors.
 - c. Amend the LMSC Bylaws.

ARTICLE 3: Board of Directors

A. The LMSC Board of Directors shall consist of:

- 1. Each elected officer of the LMSC, and
- 2. One or two appointed representatives of each swimming club, as described in Article 2.A.2.

- B. The Board of Directors shall have the duties and powers to act for the LMSC and its members during the interval between membership meetings, except that it may not amend these Bylaws. All such actions shall be subject to ratification or amendment during the annual membership meeting. The Board shall:

1. Establish programs and policies.
 2. Call regular and special meetings of the Directors.
 3. Call the annual membership meeting before November 15 each year.
 4. Make interim appointments to the Board of Directors as replacements or to fill vacancies.
 5. Approve, before the end of July, as many delegates to the USMS Convention as allowed by USMS Rules and establish a stipend for them.
 6. Deliver such reports as USMS may require, including financial and annual meeting reports.
- C. Directors shall endeavor to exercise reasonable care when making decisions for the LMSC, shall act in the LMSC's best interests, and shall support USMS's mission.

ARTICLE 4: Officers

- A. The elected Officers of the LMSC are: Chair, Vice Chair, Registrar, Top Ten Recorder (SCY), Top Ten Recorder (SCM/LCM), Treasurer, Secretary, Pool Sanctions Chair, Open Water Sanctions Chair, Coaches Chair, Officials Chair, Awards & Recognition Chair, Communications Chair, Para-Athlete Chair, Immediate Past Chair, At Large, At Large. An officer may serve in more than one capacity, except that an Officer may not serve simultaneously as the Treasurer and Registrar or as the Chair and Vice Chair.
- B. Only members of the LMSC are eligible to hold office.
- C. Each Officer shall serve for a term of two years, or until a successor is chosen, or unless reelected to another term.
- D. The Nominating Committee shall be called by the LMSC Chair no later than January 5 of the odd numbered year. The Chair of the Nominating Committee shall be the LMSC Vice Chair. The Vice Chair will propose at least two other members to serve on the Nominating Committee, provided each of the members represents at least 3 different clubs. The Nominating Committee shall be presented to the Board of Directors for approval no later than January 31. The Chair of the LMSC may not serve on the Nominating Committee. The Nominating Committee shall distribute and publicly post the pre-election slate of confirmed nominees no later than 15 days prior to the annual membership meeting. The pre-election slate shall be distributed to the membership with Notice of the next Annual Meeting. Additional nominations from the floor will always be accepted, but such nominees must have indicated their willingness to serve.
- E. DUTIES.
1. The Chair shall be responsible for day-to-day management of the business affairs of the LMSC; shall call meetings as deemed necessary; shall preside at all meetings; shall appoint such standing and special committees as necessary; shall appoint USMS Convention Delegates, all with the advice and consent of the Directors. The Chair shall monitor the activities of the elected Directors, offering guidance and support. The Chair shall communicate with the LMSC Group members, and thereby act as an information conduit between USMS and the LMSC's Group and Individual Members. The Chair and other Officers shall work cooperatively to conduct LMSC business in a manner that strives to meet all LMSC Mandatory and Target Standards as established in the USMS Guide to Operations.

2. The Vice Chair shall have the powers and duties of the Chair in the absence of the Chair and shall otherwise give support and advice to the Chair.
3. The Registrar shall respond to inquiries from LMSC stakeholders, process member, club and workout-group registrations, maintain registration records in the USMS database, and generate reports in accordance with LMSC and USMS policies and procedures.
4. The Top Ten Recorders shall record all swims by LMSC members in Sanctioned or Recognized meets, prepare a tabulation of such swims for LMSC members, and report to USMS as required.
5. The Pool Sanctions Chair shall ensure that USMS-insured swim meets within the LMSC are conducted in accordance with USMS regulations, issuing “Recognized” or “Sanctioned” status as appropriate.
6. The Open Water Sanctions Chair shall promote participation and safety in open-water swimming and shall work with the USMS Open Water Coordinator to process “Sanction” applications and ensure that USMS-insured open-water events adhere to USMS rules and regulations.
7. The Officials Chair shall govern the training and registration of USMS officials and ensure appropriate staffing of qualified officials at USMS-sanctioned and recognized swim meets within the LMSC.
8. The Treasurer shall be responsible for preparing and presenting an annual budget, with the help of the Chair, in accordance with all resolutions and orders, for review and approval by the Board of Directors 30 days prior to the annual membership meeting. The Board approves the budget at least 1 week prior to the annual membership meeting. The Budget shall be ratified at the annual membership meeting. The Treasurer shall receive all moneys and pay all bills approved by the Chair and shall maintain all financial records and shall make timely reports to the Directors.
9. The Secretary shall maintain the Bylaws, minutes of all meetings, and manage any votes necessary to carry out LMSC elections or other business as required by USMS.
10. The Awards & Recognition Chair shall manage the process of recognizing various levels of participation and accomplishment by LMSC stakeholders. Responsibilities shall include vetting and presenting awards and overseeing the New England LMSC Hall of Fame, including selection criteria and induction ceremonies.
11. The Communications Chair shall be responsible for the dissemination of information from USMS and the LMSC to all individual members of the NE-LMSC. This position shall have primary responsibility for maintaining the LMSC’s website.
12. The Coaches Chair shall liaise with the local coaching community to facilitate the flow of information from the LMSC, USMS Coaches Committee and National Office, and shall assist coaches in developing their skills and growing their programs.
13. The Para-Athlete Chair shall advocate for para-athletes in the LMSC, promote Masters Swimming as fitness and competitive opportunities for para-athletes, and help sensitize coaches, officials and swimmers to the needs of para-athletes.
14. To maintain continuity on the LMSC Board, the Immediate Past Chair shall be filled for one 2-year term only by the last person to hold the LMSC chair position. If that person is elected to another LMSC office, then the immediate past chair position shall remain vacant unless the other office is relinquished or a new Chair is elected.
15. At the Board of Director’s discretion, one or two “At Large” Directors shall be elected in the same manner as the other Directors and shall be assigned duties by the Chair with the advice and consent of the Board of Directors.

ARTICLE 5: Indemnification

Each person who is or was a director, officer or employee of the LMSC (including the heirs, executors, administrators or estate of such person) shall be indemnified by the LMSC as a division of USMS to the full extent permitted by the Nonprofit Corporation Law of the State of Florida against any liability, cost or expense incurred in the capacity as director, officer or employee, or arising out of the status as a director, officer or employee (including serving at the request of the LMSC as a director, trustee, officer, employee or agent of another not-for-profit organization).

ARTICLE 6: Meetings

- A. The Annual Membership Meeting shall be held each year no earlier than June 1st and no later than November 15th. The term of any newly elected officer shall commence on a date agreed by the outgoing and incoming officers, but not later than one month after the election.
- B. Special Meetings may be called at any time upon the request of any three members of the Board of Directors, provided the Chair or the Vice-Chair has not called a regular or membership meeting.
- C. Notice of any Annual, Regular, or Special meeting must be given in writing to each Director at least 15 days before the meeting. Agenda, date, time and place must be shown.
- D. At all meetings, the Order of Business shall be:
 - 1. Roll call.
 - 2. Adoption of Minutes.
 - 3. Adoption of Treasurers Report.
 - 4. Reports, as necessary, from Officers and Committees.
 - 5. Unfinished business.
 - 6. New business.
 - 7. Elections, when needed.
 - 8. Resolutions & Orders.
 - 9. Adjournment
- E. Quorum for any meeting shall be 25% of the Board present in person or by other real time electronic format (including telephone, web meeting, etc.).
- F. Roberts Rules of Order shall govern procedures.

ARTICLE 7: Event Sanctions

The Rules and Conditions of any Recognized or Sanctioned swimming meet or Sanctioned open-water event within the LMSC shall be those established by USMS, with such LMSC additions as are not contrary to USMS. Such cooperative arrangements with USA Swimming and YMCA as have been agreed between those bodies and USMS may be employed.

ARTICLE 8: Dues and Fees

Each Member, whether directly to USMS or the LMSC Registrar or through a member Club, shall pay an annual fee in an amount established annually by the LMSC and USMS. The Registrar shall print and send an annual Membership card to that Member upon request.

ARTICLE 9: Reports and Remittance

- A. The LMSC shall forward to the Membership Director of USMS a copy of the Annual Audit of the LMSC and a complete report of the Annual Meeting of the LMSC within 60 days following the Annual Meeting.
- B. The Registrar shall, upon request, forward to the LMSC Board and the USMS National Office, a report listing all individuals, clubs and workout groups that have joined the LMSC, including any fees paid.

ARTICLE 10: Hearings, Appeals, and Athletes Rights

- A. The LMSC, in accordance with the Rules of USMS, shall respect and protect the right of every eligible individual to participate as athlete, coach, trainer, manager, administrator, or other official in any Masters swimming activity as long as such activity is conducted in compliance with LMSC and USMS requirements.
- B. The Board of Directors shall, if necessary, appoint a Grievance Committee with no less than 5 members, whose Chair shall be elected by its members. A quorum shall be 50% of its membership, but no less than three. It may conduct hearings only involving LMSC members and within the LMSC boundaries. A decision by the LMSC Grievance Committee shall be subject to an appeal to the - National Board of Review, and thence to the USMS Board of Directors.
- C. The Grievance Committee shall follow the Grievance Procedure posted on the New England LMSC website (nelmsc.org).

ARTICLE 11: Elections

Elections shall occur during membership meetings of odd numbered years, no sooner than June 1st, and no later than November 15th.

ARTICLE 12: LMSC Championship Meets

- A. Any meet called a New England LMSC Championship Meet must meet the requirements of this article.
- B. All USMS Clubs except for New England Masters Swim Club (NEM) shall be scored directly against other USMS Clubs.
- C. If NEM workout groups or non-USMS Club groups are competing in the meet, they may be scored in their own separate division(s) or directly against USMS Clubs.

- D. Any change to the existing format of a NE-LMSC championship meet is subject to the approval of the NE-LMSC Board of Directors.
- E. If an LMSC Championship meet is eligible to be either a Zone meet, or another USMS championship level meet, then the changes to the LMSC Championship Meet may be made via an emergency meeting of the Board of Directors. The changes approved are for that single specific meet, for that year only, and will only be made such that the meet will be compliant with specific requirements for that meet (Zone, USMS or otherwise).

ARTICLE 13: Miscellaneous

- A. The permanent mailing address of the LMSC shall be that of the Chair, who will so notify the USMS Membership Director in writing. Any change must be immediately sent to the USMS Membership Director.
- B. Electronic mail: Any action which may be taken at any regular or special meeting of the Directors may be taken via electronic mail, unless any 3 or more Directors indicate that a meeting would be preferable. Approval via email requires a majority of the votes entitled to be cast.
- C. Dissolution: Upon dissolution, the net assets of the NELMSC will be distributed to United States Masters Swimming, Inc. If USMS is not then in existence or is not then an exempt corporation under Section 501©(3) of the Internal Revenue Code, such assets will be distributed to the International Swimming Hall of Fame or a corporation that is exempt under IRS Sections 170©(2), 2055(a)(2) and 2522(a)(2) to be used exclusively for educational and charitable purposes.