

Bylaws of the Gulf Masters Swimming Committee (GMSC)

ARTICLE I

PURPOSE, BOUNDARY, JURISDICTION

Purpose -- The purpose of the Gulf Masters Swimming Committee (GMSC, Gulf Local Masters Swimming Committee or Gulf LMSC) shall be to promote fitness and health in adults by offering and supporting the development of the sport of swimming for the benefit of adult swimmers of all ages and abilities in accordance with the standards and under the rules prescribed by United States Masters Swimming, Inc. (USMS) and the Gulf Masters Swimming Committee (Gulf LMSC). These purposes are exclusively charitable and educational within the meaning of section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code.

Boundary -- The boundary and designation of the Gulf LMSC shall be the part of the State of Texas bounded on the North by and including the counties of Robertson, Leon, Houston, Angelina, Nacogdoches, and Shelby; on the East by the State of Louisiana; on the South by the Gulf of Mexico, and on the West by and including the counties of Fort Bend, Wharton, Colorado, Waller, Grimes, Robertson, Brazos, and Matagorda.

Jurisdiction -- The Gulf LMSC has jurisdiction over the sport of Masters Swimming as has been delegated to it by USMS.

ARTICLE II

MEMBERSHIP

Membership Categories -- The membership shall consist of the following:

1. Club Members -- Those organizations which have joined and are in good standing as members of the Gulf LMSC and who have athletes registered to represent said organization in the sport of Masters Swimming. The annual registration application for a club can be obtained through the Gulf LMSC Membership Coordinator or Gulf LMSC web site. To register, a club must meet the following conditions:
 - a. Meet the definition of a Club according to the Rules of USMS.
 - b. Have at least one member registered in the Gulf LMSC.
 - c. Provide the Gulf LMSC Membership Coordinator a valid, active e-mail address upon application. This e-mail address does not have to be that of the official Club representative; however, the owner of said e-mail address has the responsibility of communicating in a timely manner any transmitted information to the official representative who will share this information with his/her club.
 - d. Club membership may be revoked if these conditions are not upheld.
2. Individual Members -- Those individuals who are athletes, coaches, officials, administrators, or persons otherwise interested in the purposes and programs of the Gulf LMSC and eligible under

USMS standards. On joining USMS, these individuals may attend all meetings of the Gulf LMSC with voice but no vote.

ARTICLE III

HOUSE OF DELEGATES

Membership -- The House of Delegates (HOD) of the Gulf LMSC shall consist of the following:

1. Club Representatives -- Each registered member club is entitled to one representative to the Gulf LMSC House of Delegates. If the club has over 50 swimmers registered as members of that club, it is entitled to a second representative; and if over 100 swimmers registered, it is entitled to a third representative.

Each member club shall appoint a representative to the Gulf LMSC. Such appointment shall be in writing and signed by the executive officer or secretary of the appointing club. The appointing club may withdraw its representative and substitute a new representative by written notice, addressed to the Gulf LMSC and signed by the club's chief executive or secretary.

2. Elected Officers of the GMSC (see **Positions** in Article IV).
3. Chairs of the Gulf LMSC standing Committees.
4. At-large Members -- A maximum of five (5) at-large members may be appointed by the chairman with the concurrence of the officers.

Term of service -- Elected officers, standing committee chairs and at-large members serve for two years, or until their successor is appointed or elected. Each member shall have one vote.

Powers -- The management of the business affairs of the Gulf LMSC is the responsibility of the House of Delegates. In addition to the duties and powers prescribed in the Rules of USMS or in these Bylaws, the powers of the House of Delegates shall be the following:

1. To admit to membership any eligible club or individual applicant.
2. To amend the Bylaws of the Gulf LMSC.
3. To establish, amend, or revoke policies and rules of the Gulf LMSC.
4. To impose and enforce penalties for any violation of the Rules of USMS or the Gulf LMSC.
5. To collect dues and/or funds of the Gulf LMSC and to expend the same in accordance with the objectives of the Gulf LMSC.
6. To elect officers of the Gulf LMSC.
7. To elect representatives to the USMS, Inc. House of Delegates.
8. To schedule and issue sanctions or recognitions for competitions or events held within the boundary of the Gulf LMSC.

Meetings -- The annual meeting of the Gulf LMSC House of Delegates shall be held between October 1st and December 31st of each year. A regular or special meeting of the House of Delegates may be called by the chairman or with the concurrence of any two officers or one-third of the members of the HOD.

1. Notices:
 - a. Time -- Not less than fifteen (15) days notice shall be given by the secretary for any annual or special meeting of the Gulf LMSC House of Delegates and the Board of Directors. The 15-day requirement may be waived in writing by a majority of those eligible to vote at such meetings.
 - b. Information -- The notice of the meeting shall contain the time, date and location. For special meetings, the purpose of such meetings shall be given.
 - c. Notice -- The notice of the meeting shall be posted on the Gulf LMSC website and sent to the most recent e-mail address on record of each Gulf LMSC registered club and the members of the HOD.
2. Order of Business -- At all meetings of the Gulf LMSC House of Delegates the order of business shall be the following:
 - a. Roll call
 - b. Reading, correction and adoption of minutes
 - c. Reports of officers
 - d. Reports of committees
 - e. Unfinished business
 - f. Elections where appropriate
 - g. New business
 - h. Resolution and orders
 - i. Adjournment
3. Quorum -- A quorum at all meetings shall consist of those present and eligible to vote.
4. Rules of Order -- At all meetings, the current Roberts Rules of Order are the procedural rules.

BOARD OF DIRECTORS

Members -- The Board of Directors shall consist of the elected officers and the chairs of the standing committees. All members of the Board of Directors shall be currently registered members of USMS.

Duties and Powers -- The Board of Directors shall act for the Gulf LMSC and the House of Delegates during the intervals between its meetings. The actions of the Board of Directors shall be subject to approval and ratification of the House of Delegates. The Board shall have the following powers and duties:

1. To establish programs and policies, and to lend direction thereto.
2. To review and adopt the annual budget of the LMSC.

3. To approve any expenditure which is \$500 or more over the approved amount in the annual budget.
4. To approve any major expenditure not included in the annual budget.

Quorum -- The presence of a majority of the Directors shall constitute a quorum at any meeting of the Board of Directors.

ARTICLE IV

OFFICERS

Positions -- The elected officers shall be chairman, vice-chairman, treasurer, and secretary.

Eligibility -- Only current members of USMS registered for a portion of the registration year with the Gulf LMSC shall be eligible to hold office.

Nominations -- A nominating committee consisting of a minimum of three Gulf LMSC members shall be appointed by the chairman. This committee shall prepare a slate of officers to stand for election. The slate of nominees shall be included in the advance notice of the annual meeting. Additional nominations shall be accepted from the floor.

Elections and Term of Office -- The officers shall be elected at the annual business meeting in even numbered years by a majority of all voting representatives present. Each officer shall serve for a term of two years or until his or her successor is chosen. No person may serve more than two consecutive terms in the same office. When a suitable replacement cannot be found, an officer may continue to serve with the concurrence of the majority of the House of Delegates.

If a duly elected officer is unable to serve out his or her term, the chairman shall appoint a replacement to serve out the un-expired term, subject to approval by the House of Delegates at their next meeting.

Duties of Officers -- The duties of the officers shall include, but are not limited to, the following:

1. Chairman -- The chairman shall call meetings of the Gulf LMSC when and where deemed necessary and preside at these meetings. With the advice and consent of the Board of Directors, the chairman shall appoint committee chairmen and form special committees as deemed necessary.
2. Vice-chairman -- The vice-chairman shall perform as the chairman in the absence or disability of the chairman and shall perform such duties as the chairman may direct.
3. Secretary -- The secretary shall be responsible for keeping a record of all meetings, conducting official correspondence, issuing meeting notices and copies of the minutes to the members of the House of Delegates, and making such reports to the USMS national office as required. The secretary shall forward the minutes of the annual meeting to the USMS national office within four months of the end of the Gulf LMSC fiscal year.
4. Treasurer -- The treasurer shall receive and deposit all the monies to the accounts of the Gulf LMSC and shall pay all bills approved by the Board of Directors. The treasurer is responsible for maintaining all financial records, and for making timely reports to the Board of Directors and the House of Delegates. The treasurer shall prepare the Gulf LMSC's annual financial report and forward a copy of the report to the USMS National Office within four months of the end of the Gulf LMSC fiscal year. The treasurer shall file the appropriate 990 tax form with the IRS annually. The Board of Directors shall appoint a USMS member, other than the Treasurer or account signatory, to review financial records and reconcile the bank statements, at least annually.

ARTICLE V

STANDING COMMITTEES

Titles – The standing committees shall include the following: Membership, Sanctions, Coaches, Officials, Tabulations/Top Ten Recorder, Communications/Webmaster, Long Distance/Open Water, Fitness, and Diversity and Inclusion.

Duties of the committees – The Gulf LMSC chair shall appoint chairs to the following standing committees and shall charge each committee with its duties.

1. Membership Coordinator -- The membership coordinator may name a committee as desired or needed. The membership coordinator shall register all eligible applicants for membership in the Gulf LMSC and shall be responsible for maintaining registration records and making timely reports to USMS and the Gulf LMSC Board of Directors and House of Delegates. The Membership Coordinator shall communicate with the Gulf LMSC webmaster to keep registration information up-to-date. The Membership Coordinator shall not be the same person as the Treasurer.
2. Sanctions – The sanctions chair may name a committee as desired or needed. The sanctions chair evaluates sanction and recognition applications and, with the concurrence of the Board of Directors, issues approvals for sanctions and recognitions. Records shall be kept of all pool certifications, sanctions and recognitions issued within the Gulf LMSC territory as specified by USMS.
3. Coaches – The coaches chair may name a committee as desired or needed. The coaches chair shall receive communications from the USMS coaches committee and distribute that information to coaches within the Gulf LMSC. The coaches chair shall also facilitate communication among the coaches within the Gulf LMSC and serve as a resource for information regarding swimming and training. The coaches chair shall oversee the application for coaches' professional development funds, and, with the concurrence of the Board of Directors, approves applications for these funds.
4. Officials – The officials chair may name a committee as desired or needed. The officials chair is responsible for implementing policies and procedures to ensure that USMS sanctioned and recognized meets within the Gulf LMSC boundaries are conducted uniformly and in accordance with the Rules of USMS. The officials chair shall maintain a list of certified officials willing to work USMS sanctioned and recognized meets. The officials chair shall provide regular updates on USMS rules changes and interpretations and work with meet directors in obtaining qualified officials.
5. Tabulations/Top 10 Recorder – The tabulations/top ten recorder may name a tabulations committee as desired or needed. The tabulations/top 10 recorder shall process results of meets held within the Gulf LMSC boundaries. The recorder shall upload meet results to the USMS meet results database and work with Gulf LMSC meet directors to ensure that USMS and World record applications are submitted appropriately. The tabulations/top 10 recorder shall compile and report individual top ten times for each course (SCY, LCM, SCM) from all sanctioned Gulf LMSC meets and all received recognized meets, by the deadlines, in the proper format, as described in the USMS Guide to Operations (GTO). The tabulations/top 10 recorder shall keep a record of the pool length measurement certificates for all pools within the Gulf LMSC boundaries and submit new forms for inclusion in the USMS national database.

6. Communications/Webmaster – The position of communications chair/webmaster may consist of co-chairs and may name a committee as desired or needed. The communications chair/webmaster shall ensure that the Gulf LMSC website is maintained and updated in a timely manner. Announcements and communications of interest shall be produced and distributed to the Gulf LMSC members on a regular basis through a newsletter, emails, social media and/or other appropriate methods.
7. Open Water/Long Distance Chair – The open water/long distance chair (OWLD chair) may name a committee as desired or needed. The OWLD chair shall work in coordination with event directors to ensure the safety and success of Gulf LMSC open water and long distance events. The chair shall review and evaluate sanction and recognition applications for open water or long distance events held in the Gulf jurisdiction. After approving such an application, the OWLD chair shall ensure that the sanction application is forwarded to the USMS National Office for approval of the safety plan. The OWLD chair shall keep a list of Gulf area USMS certified Open Water Safety Directors and USMS certified Open Water Referees.
8. Fitness Chair – The fitness chair may name a committee as desired or needed. The fitness chair shall promote the fitness, health, and lifestyle benefits of Masters Swimming. The fitness chair shall help develop and promote programs designed to benefit those members that are interested in the health and fitness benefits of Masters Swimming.
9. Diversity and Inclusion Chair - The diversity and inclusion chair may name a committee as desired or needed. The Diversity and Inclusion chair shall help promote Masters Swimming as an activity open to all adults. The position will include working with underserved populations and swimmers that may not have traditionally participated in Masters Swimming. These populations include but are not limited to: people with disabilities, people of color and underrepresented ethnic and religious groups, people whose primary language is not English, people identifying as LGBTQ+ , young adults (18-25 years), and people of all ages new to the sport of swimming.

ARTICLE VI

CONFLICT OF INTEREST POLICY

Conflict of Interest -- A conflict of interest occurs whenever a member of the Gulf LMSC Board of Directors has a financial or personal interest in any matter coming before the Board of Directors.

Procedures -- When a conflict of interest occurs, the Board shall ensure that:

1. The interest of such officer or director is fully disclosed to the board of directors.
2. After any presentation made by the interested party, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
3. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested directors determine that it is in the best interest of the Gulf LMSC to do so.
4. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

ARTICLE VII

GRIEVANCE PROCEDURE

Grievances -- Any individual member and/or any club member of the Gulf LMSC may bring a complaint on any matter concerning member rights and standards of conduct for which grievances may be heard as expressed in the Rules of USMS under Article 402.

Filing a grievance -- A concise statement of the complaint shall be filed with the Gulf LMSC chairman or a designated grievance chair.

Mediation or Resolution -- If the grievance chair determines the complaint involves issues for which a complaint may be brought under Article 402, all involved parties will be given the opportunity to make a written statement and the grievance chair shall attempt to resolve the controversy by mediation.

Hearing procedure -- If no agreement can be reached, the grievance chair shall convene a hearing panel of three Gulf LMSC members to resolve the controversy. The hearing panel shall, by majority vote, resolve the controversy in the form of a written decision. 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,

Note: Further details concerning this grievance procedure are found in the Gulf LMSC policy manual.

ARTICLE VIII

INDEMNIFICATION

Each person who is or was a director, officer or employee of the Gulf LMSC (including the heirs, executors, administrators or estate of such person) shall be indemnified by the Gulf LMSC as a division of USMS to the full extent permitted by the Nonprofit Corporation Law of the State of Ohio 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 Gulf LMSC as a director, trustee, officer, employee or agent of another not-for-profit organization).

ARTICLE IX

AMENDMENTS TO BYLAWS

Any provision of these Bylaws not proscribed by the Rules of USMS may be amended at any meeting of the House of Delegates by a two-thirds vote of the members voting. At least fifteen (15) days notice of any proposed amendments shall be given to members of the House of Delegates by posting the amendments on the Gulf LMSC website and sending notice through e-mail.

ARTICLE X

DISSOLUTION

Upon dissolution, the net assets of the Gulf LMSC shall not inure to the benefit of any private individual or corporation, but will be distributed to USMS, Inc. to be used exclusively for educational or charitable purposes. If at the time of dissolution, the named organization a) ceases to exist, b) does not accept the distribution, c) is not exempt under 501(c) (3) at the time of the dissolution, the assets shall be distributed exclusively for the purposes set out in Article I and to organizations organized and operated exclusively for such purposes and which are exempt from federal income taxation under section 501 (c) (3) of the

Internal Revenue Code or corresponding section of any future federal tax code, to be used exclusively for educational or charitable purposes.

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Revised 01/04/12

In Word by Kevin M. Lunsford on 1/16/2016

Revised 11/21/16 by K. Wingenroth

Revised 1/31/17 by Kevin Lunsford (Addition of Conflict of Interest)

Revised 5/23/18 by Kevin Lunsford (Addition of Long Distance/Open Water and Fitness Chair)

Revised 3/28/19 by Kris Wingenroth (Revisions to update and align with LMSC standards)

Revised 9/26/19 by Kris Wingenroth (Revisions to align terminology to USMS's terminology)

Revised 11/19/20 by Kris Wingenroth (Revision to update and align with current USMS rules)

Revised 04/13/22 by Kris Wingenroth (Revision to add the Diversity and Inclusion Committee)

Revised 11/2/22 by Kris Wingenroth (Revision to move Membership Coordinator from an Officer position to a Standing Committee Chair position)

Revised 5/3/23 by Kris Wingenroth (Revision to move the duty of the budget review and adoption from the HOD to the BOD. To update some wording in Article III and IV.)

GULF MASTERS SWIM COMMITTEE POLICIES

USMS ANNUAL MEETING

The Gulf LMSC shall reimburse the designated USMS Annual Meeting representatives for the following expenses:

- Transportation (coach airfare or mileage and tolls (if driving), whichever is less
- Hotel – one half of room for required nights (delegate is expected to have a roommate)
- Ground transportation to and from the airport to the meeting site (but not a rental car)
- Airport parking
- Meal per diem of \$35 per day, if meals are not provided
- USMS Meeting registration

In order for expenses to be reimbursed, receipts (excluding meals) must be presented to the Treasurer. (9/8/98, 10/6/22, 3/6/24)

USMS ANNUAL MEETING DELEGATES

Representatives to be funded for attending the USMS National Annual Meeting shall be selected annually, by vote at a regularly scheduled Gulf LMSC meeting. Criteria for nominations shall include the level of leadership and service to USMS and to the Gulf LMSC. When it is in the best interest of the Gulf LMSC, the Gulf Board of Directors may waive the criteria, (7/07)

AWARDS

An award may be given to a South Central Zone registered swimmer who best exemplifies the spirit of Masters Swimming that was shown by Jesse Coon. This award will be named the “Jesse Coon Memorial Award.” It is the intention to keep a permanent plaque at the Aerofit pool in College Station on which the annual winner’s name will be engraved and to give each winner some sort of award. (1/06)

The Emmett Hines Award may be given annually to a Gulf LMSC member who best honors the memory of Emmett Hines’ enthusiasm, expertise and advocacy of Masters Swimming. (9/26/19)

BY-LAWS

Current Gulf LMSC By-Laws and Policies shall be posted on the Gulf LMSC Website. (6/12/05)

Any time the Gulf By-Laws are updated, a copy shall be provided to the USMS National Office for posting. (3/27/19)

COACHES PROFESSIONAL DEVELOPMENT FUNDS

The Gulf LMSC shall budget funds for professional development for Gulf LMSC Masters Coaches. The application for funds shall be posted on the Gulf LMSC website. The Gulf LMSC's Board of Directors will review funding request applications and determine which applicants will be awarded grants. (5/2/12)

Any coach receiving grant monies must provide documentation of attendance and file a report summarizing their participation at the event at the Gulf LMSC meeting following the event. (5/2/12)

CONFLICT OF INTEREST POLICY

Whenever a member of the Gulf LMSC Board of Directors has a financial or personal interest in any matter coming before the Board of Directors, the Board shall ensure that:

1. The interest of such officer or director is fully disclosed to the board of directors
2. The interested person may make a presentation at the meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
3. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested directors determine that it is in the best interest of the Gulf LMSC to do so.
4. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval. (10/19/16)

ELECTION POLICIES

Officers shall be elected during the Gulf LMSC Annual Meeting in even years. (11/16/11)
[See the Gulf LMSC By-laws, Article IV for further information about elections.]

FINANCIAL POLICIES AND PROCEDURES

General Administration

The Gulf LMSC fiscal year shall be the calendar year. (11/6/90)

The LMSC Membership Coordinator and Treasurer shall be separate individuals.
(Gulf Bylaws, Article V) (3/22/23)

Any change in the position of Treasurer shall be reported to the USMS Membership Director as soon as known. (3/27/19)

Standard Duties of Treasurer

All checks and cash shall be deposited within 30 days of receipt and payments to USMS shall be made within one week of receipt of an invoice, unless it is clearly immaterial. (3/27/19, 3/22/23)

Financial statements consisting of a balance sheet and an income statement itemizing revenues and expenditures for the most recently completed month-end or quarter-end shall be prepared and presented by the Treasurer at each Gulf LMSC meeting. (9/9/93, 3/22/23)

The Treasurer shall prepare an annual LMSC operating budget to be presented to the Board of Directors for review and approval. (Gulf LMSC Bylaws Article III) (3/22/23)

In accordance with IRS Guidelines, the Treasurer shall maintain documentation for all revenues and expenditures. (3/22/23)

In accordance with IRS Guidelines, the Treasurer shall send acknowledgements of donations. (3/22/23)

General Policies

Members seeking reimbursement for expenses included within the current year budget must provide the Treasurer with appropriate documentation, including invoices or receipts, in order to be reimbursed for those expenses. Expenses without proper authorization and the required supporting documentation will not be reimbursed. (3/22/23)

There shall be a \$30 charge for returned checks. (1/10/02)

Sanction fees shall be non-refundable. (3/21/02)

The Treasurer shall have sales tax exemption certificates available. (11/6/90)

The LMSC's checking account shall be kept separate and distinct from any other accounts. (3/27/19)

A second signatory for the bank account shall be appointed by the Board of Directors. This person shall serve as a back-up to the Treasurer in case of an emergency and shall have access to the checking account at all times. (1/2006, 3/22/23)

A member, other than the Treasurer or account signatory, shall be appointed by the Board of Directors to review financial records and reconcile bank statements at least annually. (Gulf Bylaws, Article IV) (2/20/08, 3/27/19, 3/22/23)

When it is necessary for the Treasurer to make a reimbursement to him or herself, the Treasurer shall make a written request for reimbursement to the Gulf Chairman. All supporting documentation for the reimbursement request, including the invoice(s) or receipt(s), shall be included. The Chair shall review the proposed payment request and documentation. Within two weeks of receiving the reimbursement request, the Gulf Chair shall respond in writing to the Treasurer, as to whether the request is approved or denied. If approved, the Treasurer shall attach a copy of the written approval to the supporting documentation prior to writing the reimbursement check. If the request is denied, the Treasurer has the right to appeal the decision to the Gulf Board of Directors. (3/22/23)

Reporting Requirements

The Treasurer shall prepare an Annual Financial Report as required by the USMS guidelines. This report shall be submitted to the USMS National Office no later than April 30th of the following year. (Gulf Bylaws, Article IV) (5/2/12, 3/22/23)

The Treasurer shall file the appropriate 990-tax form with the IRS annually, within 4 months after the end of the fiscal year and shall provide documentation of the filing to the USMS National Office. (Gulf Bylaws, Article IV) (5/2/12, 3/27/19)

The Treasurer shall issue an IRS form 1099-Misc to any individual who receives more than \$600 for services rendered. (5/2/12)

As required by IRS guidelines, the Treasurer shall provide a written acknowledgement to any donor who makes a quid pro quo contribution in excess of \$75. A quid pro quo contribution is a payment made to a charity by a donor partly as a contribution and partly for goods or services provided to the donor by the charity. For example, if a donor gives the Gulf LMSC \$100 and receives a swim bag valued at \$40, the donor has made a quid pro quo contribution. In this example, the charitable contribution portion of the payment is \$60. Even though the part of the payment available for deduction does not exceed \$75, a written acknowledgment is required to be provided to the donor because the donor's payment (quid pro quo contribution) exceeds \$75. The acknowledgment shall include the fair market value of any goods or services received. (10/19/16, 3/22/23)

As required by IRS guidelines, the Treasurer shall provide written acknowledgement to any donor who makes any single contribution of \$250 or more. The acknowledgment shall include the fair market value of any goods or services received, if applicable, or state that no goods or services were provided. (10/19/16, 3/22/23)

GRIEVANCE PROCEDURE

Selection of a Grievance Chair

Upon notice that a Gulf member intends to file a grievance with the Gulf LMSC, the Gulf LMSC Chairman, with the concurrence of the Gulf Board of Directors, shall appoint a Grievance Chair.

Grounds for Grievances

Any individual member of the Gulf LMSC and/or any Club member of the Gulf LMSC may bring a complaint on any matter for which grievances may be heard under the Rules of USMS Article 4. Specifically, complaints may be brought alleging unsporting conduct, defined in Article 402.4, Unsporting Conduct.

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 whether it 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 Chairman of the Gulf 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 Gulf LMSC Chairman.
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 Gulf LMSC Chairman.

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 Gulf 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, whenever 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 Gulf LMSC

Chairman. 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 Gulf 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 Gulf LMSC may stay the imposition of any penalty pending appeal to the National Board of Review. (5/2/12, 9/26/19, 3/6/24)

GULF LMSC MEETINGS

The Gulf LMSC Annual Meeting shall be held between October 1st and December 31st each year. Copies of the minutes of this meeting must be sent to the National Office along with a financial report. [see the Gulf LMSC Bylaws, Article III for further information] (1/4/12)

USMS Club business shall not be conducted during an LMSC meeting (and vice versa). (3/27/19)

Voting delegates attending Gulf LMSC meetings may be reimbursed for mileage if they must travel more than 100 miles round trip. (3/22/23)

LOGOS

The official USMS logo shall be used in appropriate circumstances and when used, the USMS Logo Style Guide shall be followed. (3/27/19)

MEET ENTRY ANNOUNCEMENTS

Meet entry announcements shall include the meet director's name and contact information. (4/17/10, 3/27/19)

All meets shall be conducted according to the competition rules in the USMS rule book. <https://www.usms.org/volunteer-central/us-masters-swimming-rule-book> (3/27/19)

OFFICER ATTENDANCE AT GULF LMSC MEETINGS

A member of the Gulf Board of Directors may be removed by the Board for failing to attend more than half of the Board meetings during any 12-month period (unless there are demonstrable extenuating circumstances to excuse the absences). Lacking such circumstances, the director shall be removed by a two-thirds vote of the Board. The director in question shall have no vote on such removal. (5/2/12)

OFFICIALS

The Gulf LMSC shall reimburse reasonable expenses for individuals training to be Masters Officials. (11/6/90)

The Gulf LMSC Officials Chairman should maintain a list of officials meeting USMS certification requirements that are willing to officiate Masters swim meets. (9/12/89, 3/27/19).

A minimum of two certified officials (a referee and starter, who may double as start and turn judges) are required for sanctioned or approved USMS competitions. (3/27/19)

All officials working a sanctioned or approved USMS competition shall be briefed on USMS rules. (3/27/19, 3/6/24)

POLITICAL AND LOBBYING ACTIVITIES

Under the Internal Revenue Code, all section 501 (c)(3) organizations are absolutely prohibited from directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for elective public office. Therefore, contributions to political campaign funds or public statements of position (verbal or written) shall not be made on behalf of the GMSC in favor of or in opposition to any candidate for public office.

According to IRS exemption requirements, a 501(c)(3) organization may engage in some lobbying but too much lobbying activity risks loss of tax-exempt status. Therefore, no lobbying activities will be conducted by the Gulf LMSC without careful consideration and approval of the Gulf LMSC Board of Directors. (10/19/16)

POOL CERTIFICATION

The Gulf LMSC Tabulations/Top 10 Recorder shall maintain a list of all Gulf pools which are properly certified. (1/16/89, 3/27/19)

The Gulf LMSC shall maintain equipment for certifying pools. (6/12/05)

A deposit equal to the cost of the measuring equipment (\$280) will be required to check out the equipment. Upon return of the equipment in good condition within a designated time frame, the uncashed check will be destroyed or voided and returned. (7/31/19)

REGISTRATION:

The individual registration fee shall be set annually by the USMS House of Delegates. (5/2/12, 11/18/20)

The one-event registration fee shall be set annually by the USMS House of Delegates. Unless approved by the Board of Directors, one-event registrations may only be used for open water events and the Woodlands Relay meet. (2/20/08, 11/18/20)

The club registration fee shall be set annually by the USMS House of Delegates. (5/2/12, 11/18/20)

The Membership Coordinator shall present the Treasurer any monies collected within two weeks of receipt. (3/27/19, 9/26/19)

Individual and club registrations shall be processed within 14 days of receipt, including mailing paper copies of USMS cards. (3/27/19)

Any change in the position of Membership Coordinator shall be reported to the USMS Membership Director as soon as known. (3/27/19, 9/26/19)

SANCTIONS

The pool meet sanction fee shall be non-refundable. The sanction fee shall consist of a national fee established by the USMS House of Delegates and a local fee of \$0. The total sanction fee may be waived for USMS meets held within the Gulf LMSC that are open to all Gulf USMS registered swimmers. The fee for a dual sanctioned meet must be paid by the individual or club requesting the sanction and must be paid in full prior to sanctioning the meet. The Board of Directors may vote to approve a waiver for the dual sanction fee when it is considered to be in the best interest of the Gulf LMSC. (10/19/16, 3/9/22, 3/22/23)

The open water sanction fee shall be non-refundable. The open water sanction fee shall consist of a national fee established by the USMS House of Delegates and a local fee of \$0. If the budget allows, the total sanction fee may be waived for open water swims sponsored by a Gulf USMS or USA swimming team that is held within the Gulf LMSC and open to all Gulf USMS registered swimmers. (3/9/22)

The Gulf LMSC retains the authority to increase the cost of the required meet deposit by \$50 for the subsequent year when a meet director fails to comply with the requirements of the rules of USMS and the Gulf LMSC policies. The Gulf LMSC will have the discretion to keep the current year deposit if the Gulf LMSC Board of Directors deems such a penalty is warranted. Once a meet director complies with the rules, future meet deposits may no longer be required. (8/07, 10/19/16)

The Gulf LMSC Board of Directors must approve any meet held in the Gulf before it can be issued a sanction. (3/12/91)

In order for an open water event sanction or approval to be considered, any race director hosting an open water event in the Gulf LMSC for the first time, must complete the sanction or recognition application 90 days prior to the event and attend a Gulf LMSC meeting to present the proposal for consideration. (11/16/11)

SMOG GRANTS

Swim Meet Operation Grants (SMOG grants) are available to support the operations of swim meets held within the Gulf LMSC boundaries. Requests for SMOG grants shall be submitted to the Gulf LMSC Board of Directors for approval. (1/06)

The Gulf Board of Directors may grant up to \$2500 per calendar year in SMOG grants. (3/8/94)

The Meet Director of a competition that has been approved for a SMOG grant must file a financial report before the Gulf LMSC Treasurer issues the SMOG grant money. (3/8/94)

TRAINING REIMBURSEMENTS

To the extent that the annual budget allows, the Gulf LMSC shall reimburse reasonable expenses for individuals training to be Masters Officials. The participant must apply for grant approval in advance and must be both registered in and reside in the Gulf LMSC. (11/6/90, 2/1/23)

To the extent that the annual budget allows, the Gulf LMSC shall reimburse the registration fees of those Gulf-registered USMS members who complete a USMS Coaching Certification Training. A housing and transportation allowance may also be granted. The participant must apply for grant approval in advance and must be both registered in and reside in the Gulf LMSC. (11/6/90, 2/1/23)

To the extent that the annual budget allows, the Gulf LMSC shall reimburse the registration fees of those Gulf-registered USMS members who complete an ALTS (Adult Learn to Swim) Training. A housing and transportation allowance may also be granted. The participant must apply for grant approval in advance and must be both registered in and reside in the Gulf LMSC. (11/6/90, 2/1/23)

To the extent that the annual budget allows, the Gulf LMSC shall reimburse the registration fee of those Gulf-registered USMS members who attend a “How to Do A Swim Clinic” certification training. A housing and transportation allowance may also be granted. The participant must apply for grant approval in advance and must be both registered in and reside in the Gulf LMSC. (11/6/90, 2/1/23, 3/6/24)

TRAVEL REIMBURSEMENT

Gulf registered members who travel more than 100 miles round trip as either a voting delegate at Gulf LMSC meetings or for other Gulf and/or USMS events approved by the Board, may be reimbursed for travel. The reimbursement shall be a designated amount per mile plus tolls. The mileage reimbursement rate shall be reviewed each year and adjusted as part of the annual budget approval process. If necessary, the rate may be adjusted at other times by a majority vote of the Gulf Board of Directors. (See Appendix Two for the mileage reimbursement rate.) (3/6/24)

WEB SITE

A backup Webmaster shall be named and have access to the login and passwords to update the website if needed in an emergency situation. (1/06)

The Gulf LMSC Treasurer and Gulf LMSC Secretary shall keep copies of the user names, passwords, and PINs for both the website and Gulf LMSC email address with their Gulf LMSC records. (3/27/19)

Links to events approved by the Gulf LMSC Board of Directors may be placed on the Gulf LMSC web site, however, e-mails pertaining to these events shall be sent to the Gulf membership only on a limited basis. (3/2/11)

Current By-Laws and the Gulf LMSC Policies, a link to online registration, and contact information for one or more officers shall be posted on the Gulf LMSC website. (6/12/05, 3/27/19) (11/18/20)

Revised 2/21/06 by Nancy Rossetti
Revised 2/08 by Kris Wingenroth
Revised 5/2/12 by Kris Wingenroth
Revised 10/19/16 by Kris Wingenroth
Revised 3/27/19 by Kris Wingenroth
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Revised 11/18/20 by Kris Wingenroth
Revised 03/09/22 by Kris Wingenroth
Revised 10/6/22 by Kris Wingenroth
Revised 11/2/22 by Kris Wingenroth
Revised 2/1/23 by Kris Wingenroth
Revised 3/22/23 by Kris Wingenroth
Revised 3/6/24 by Kris Wingenroth

APPENDIX ONE

2024 Fee Schedule	Total	USMS portion	LMSC portion
Individual Membership Fee	\$70	\$56	\$14
Club Membership Fee	\$70	\$56	\$14
One Event Membership Fee	\$20	\$16	\$4
Transfer Fee	\$0	\$0	\$0
Pool Sanction Fee*	\$ 50 paid by Gulf LMSC*	\$50	\$0
Open Water Sanction Fee **	\$100 + \$5/pp paid by Gulf**	\$100 + \$5/pp	\$0
Recognition Fee	\$100	\$100	\$0
*Pool sanction fee waived for events open to all Gulf members.			
** Open water sanction fee waived for events open to all Gulf members to a maximum of \$600 (\$100 fee and the per person fee for up to 100 participants).			
***Dual sanction meet fee is paid by requestor.			

APPENDIX TWO

Mileage Rate for travel reimbursement	
Mileage rate for 2024	28 cents per mile