

USA Swimming Board of Directors Meeting Minutes

January 21, 2017 / Denver Gateway Marriott

1 **CALL TO ORDER**

2 USA Swimming Board Chair, Jim Sheehan, called the January 21, 2017 Board of Directors
3 meeting to order at 8:00 a.m. Mountain Time with the following members in attendance:
4

5 **PRESENT:** Tim Bauer, John Bitter, John Bradley, Robert Broyles, David Coddington, Van
6 Donkersgoed, Tristan Formon, Clark Hammond, Don Heidary, Amy Hoppenrath, Dan
7 McAllen, Lucinda McRoberts, Dale Neuburger, Derek Paul, Aaron Peirsol, Sean Redmond,
8 John Roy, Jim Ryan, Marie Scovron, Jim Sheehan, Bruce Stratton, Davis Tarwater, Mary
9 Turner, Ron Van Pool, Robert Vincent, Mark Weber, Garrett Weber-Gale, Jim Wood, Carol
10 Zaleski.

11
12 **NOT PRESENT:** Anthony Ervin, Natalie Hall, Bill Maxson, Kelley Otto, Chip Peterson, Amy
13 Schulz, Ed Tsuzuki.

14
15 **MOMENT OF SILENCE**

16 A moment of silence was observed for USA Swimming members who have passed away
17 since the last USA Swimming Board of Directors meeting.
18

19 **AGENDA REVIEW**

20 Jim Sheehan proposed adding to the Agenda three Action Items arising from the
21 International Relations Committee meeting, as well as a personnel matter to discuss during
22 closed session (Attachment 1).
23

24 **MOTION:** *To accept the Agenda, as amended. Seconded.* **APPROVED.**
25

26 **CONFLICT OF INTEREST**

27 *"Is any member aware of any conflict of interest (that is, of a personal interest or direct or*
28 *indirect pecuniary interest) in any matter being considered by this meeting which should now*
29 *be reported or disclosed or addressed under the USA Swimming Conflict of Interest Policy?"*
30

31 If a Board member determines there to be a conflict of interest at any point during the
32 course of the meeting when a specific subject is being discussed and / or action is being
33 taken, a declaration of a conflict of interest should be made at that time.
34
35
36
37
38

39 **INTRODUCTIONS**

40 **GUESTS**

41 Sid Cassidy (IRC), Bill Charney (Charney Associates), Andrew Gemmell (IRC), Cecil Gordon
42 (IRC), Stu Hixon (Georgia Swimming), Michael Lawrence (IRC), Pam Lowenthal (Illinois
43 Swimming), Joel Shinofield (CSCAA), Bill Schalz (Board Review Task Force).

44

45 **STAFF**

46 John Burbidge, Frank Busch, Matt Farrell, Jim Harvey, Debbie Hesse, Pat Hogan, Scott
47 Leightman, Lindsay Mintenko, Mike Unger, Chuck Wielgus.

48

49 **RECOGNITION OF RECORDS**

50 Dan McAllen reported that 11 American records and three U.S. Open records have been set
51 since the last meeting (Attachment 2).

52

53 **BOARD CHAIR'S REMARKS**

54 Jim Sheehan highlighted the Special Reports that will be discussed during the meeting.

55

56 **MINUTES**

57

58 ***MOTION:** To approve the November 20, 2016 Board of Directors meeting minutes. Seconded.*

59 ***APPROVED.*** (Attachment 3).

60

61 **FINANCE VICE CHAIR REPORT**

62 **FINANCIAL UPDATE**

63 Bob Vincent submitted a written financial report and provided verbal highlights, including
64 greater than budgeted operating income in 2016 (Attachment 4).

65

66 **INVESTMENT UPDATE**

67 Bob Vincent reported a year-to-date return on investment of about 6%. The Investment
68 Committee is scheduled to meet in February to review and analyze the investments more
69 thoroughly (Attachment 5).

70

71 **FOUNDATION UPDATE**

72 Bob Vincent reported that the Foundation has had a good year financially, which will be
73 discussed more thoroughly by Debbie Hesse during the Foundation Report.

74

75

76

77

78 **SPECIAL REPORTS**

79 **BOARD GOVERNANCE REVIEW TASK FORCE**

80 Bill Schalz and Bill Charney summarized the board governance review process to date,
81 presented preliminary conclusions from the fact-finding stage of the review, and outlined
82 the next steps of the process.

83

84 **STRATEGIC SESSION ON COLLEGE SWIMMING INITIATIVE**

85 Joel Shinofield summarized the CSCAA grant program and highlighted certain partnerships
86 that have increased the visibility and awareness of the program (Attachment 6). Mr.
87 Shinofield reported on other ways that the CSCAA is working to stabilize current programs,
88 to increase the number of programs utilizing its services, and to engage alumni.

89

90 The Board discussed various facets of the grant program.

91

92 **LITIGATION UPDATE – CLOSED SESSION**

93 The Board meeting went into closed session so that USA Swimming Secretary & General
94 Counsel, Lucinda McRoberts, could give a legal update.

95

96 The Board remained in closed session to discuss a personnel matter relating to the Chief
97 Executive Officer. All USA Swimming staff members left the meeting for this portion of
98 closed session except for the Chief Executive Officer.

99

100 **USA SWIMMING FOUNDATION REPORT**

101 Debbie Hesse submitted a 2016 Preliminary Revenue Bar Chart and reported that the
102 majority of the 2016 fundraising programs exceeded their budgeted revenue, including
103 major gifts and the annual campaign (Attachment 7). Ms. Hesse thanked those Board
104 members who gave to the Foundation and provided an update on 2017 activities, including
105 striving to reach one million Make a Splash program participants and developing the 2018-
106 2020 strategic plan.

107

108 **STAFF REPORTS**

109 **OPENING COMMENTS**

110 Chuck Wielgus submitted a written report (Attachment 8) and shared certain perspectives
111 regarding his retirement.

112

113 **NATIONAL TEAM HIGH PERFORMANCE PLAN**

114 Lindsay Mintenko summarized certain initiatives within this year's National Team High
115 Performance Plan, including a new athlete support program, increased customized services
116 for National Team athletes and coaches, and athlete health.

117

118 **2017 FINA WORLD JUNIOR CHAMPIONSHIPS**

119 Mike Unger reported that preparation for the 2017 FINA World Junior Championships is
120 going well. FINA is especially concerned with the issue of visas and ensuring that foreign
121 athletes are able to participate.
122

123 **2020 OLYMPIC TEAM TRIALS**

124 Mike Unger reported that there have been staffing changes within the Omaha Sports
125 Commission but that the Memorandum of Understanding remains in place. USA Swimming
126 plans to return to Omaha for the 2020 Trials, pending approval of the competition dates.
127

128 **USA SWIMMING PRODUCTIONS**

129 Matt Farrell reported that the new website will launch in the next four to six weeks once
130 content migration, editing, and testing is complete. Mr. Farrell highlighted some features of
131 the new website, including the mobile capabilities, personalization of content, and the
132 ability to bookmark.
133

134 The Board engaged in discussion regarding the future of Deck Pass and the next steps on
135 developing online registration.
136

137 Mr. Farrell also reported that USA Swimming Productions has acquired an online digital
138 video archive system and that archiving historical video footage will begin soon. USA
139 Swimming is working with USOC to identify space at the Olympic Training Center for a
140 production studio.
141

142 **CLOSING COMMENTS**

143 Chuck Wielgus closed with the rationale behind his decision to retire and expressed his
144 enthusiasm for the future of USA Swimming.
145

146 **ACTION/DISCUSSION ITEMS**

147 **LEAP PROPOSED CHANGES**

148 John Bitter submitted proposed changes to LEAP 2 and LEAP 3 programs (Attachments 9-
149 10).
150

151 **MOTION:** *To approve the recommended changes to the LEAP 2 and LEAP 3 programs.*
152 *Seconded. APPROVED.*
153

154 **AEC POLICY MANUAL PROPOSED CHANGES**

155 Mark Weber submitted proposed changes to the Athletes' Committee Manual, which
156 includes housekeeping items and modifications to the athlete travel policy (Attachment
157 11).
158

159 **MOTION:** *To approve the recommended changes to the Athletes' Committee Policy Manual.*
160 *Seconded. APPROVED.*

161

162 **AEC SPRING 2017 ZONE MEETING PROPOSAL**

163 Mark Weber and Van Donkersgoed submitted a written proposal for a budget variance to
164 include athlete representatives at the spring 2017 Zone meetings (Attachment 12).

165

166 **MOTION:** *To approve a budget variance of approximately \$40,000 to enable athlete*
167 *representatives to attend the spring 2017 Zone meetings. Seconded. APPROVED.*

168

169 **REGISTRATION / MEMBERSHIP COMMITTEE MANUAL**

170 Robert Broyles asked the Board for some flexibility in the budget to send additional Vice
171 Chairs to various spring workshops.

172

173 **MOTION:** *To approve budget flexibility of approximately \$10,000 to send additional Vice*
174 *Chairs to various spring workshops. Seconded. APPROVED.*

175

176 Mr. Broyles posed the question to the Board if the changes to the Registration/Membership
177 Policy and Procedure Manual needs Board approval (Attachment 13). The Board engaged
178 in discussion about what types of policy changes require board approval.

179

180 Pam Lowenthal clarified that the changes made to the Manual were housekeeping,
181 including the elimination of membership cards and the family membership classification.

182

183 The Board engaged in substantial discussion about the Manual changes, including the need
184 to submit redline changes for review.

185

186 **MOTION:** *To table the discussion of recommended changes to the Registration/Membership*
187 *Policy and Procedure Manual until the next Board meeting, so that a redline version of the*
188 *proposed changes can be provided to the Board. Seconded. APPROVED.*

189

190 **NATIONAL BOARD OF REVIEW PROPOSED TIME LIMITS**

191 Jim Sheehan submitted a proposal for time limits during National Board of Review hearings
192 (Attachment 14). Lucinda McRoberts added that the policy is intended to memorialize USA
193 Swimming's existing practice.

194

195 **MOTION:** *To approve the National Board of Review proposed time limits. Seconded.*
196 *APPROVED.*

197

198 **INVESTMENT COMMITTEE CHAIR**

199 Jim Sheehan reported that Davis Tarwater has stepped down as Investment Committee
200 Chair pursuant to Article 506.4 of USA Swimming's Rules. Mr. Sheehan proposed that Stu
201 Hixon serve as the next Investment Committee Chair.

202

203 ***MOTION:** To approve Stu Hixon as the Chair of the Investment Committee. Seconded.*
204 *APPROVED.*

205

206 **CEO SEARCH TASK FORCE**

207 Jim Sheehan requested that the Board approve a budget of \$200,000.00 to support the CEO
208 Search Task Force.

209

210 ***MOTION:** To approve a budget of \$200,000.00 for the CEO Search Task Force. Seconded.*
211 *APPROVED.*

212

213 Jim Sheehan described how the CEO Search Task Force was selected since it was a slight
214 variation to the existing Chief Executive Officer Succession Planning policy. Bruce Stratton
215 noted one additional variance to the policy regarding a member of the task force needing to
216 have international coaching experience and spoke in favor of approving the CEO Search
217 Task Force as named.

218

219 The Board engaged in discussion on whether or not to update the Chief Executive Officer
220 Succession Planning policy, as well as the objectives of the CEO Search Task Force.

221

222 ***MOTION:** To approve the named members of CEO Search Task Force, as well as an additional*
223 *athlete representative to replace Tim Liebhold. Seconded. APPROVED.*

224

225 **INTERNATIONAL RELATIONS COMMITTEE ACTION ITEMS**

226 **DELEGATE FOR THE FINA GENERAL CONGRESS**

227 Michael Lawrence reported that the International Relations Committee (IRC) recommends
228 Jim Sheehan as the delegate to the FINA General Congress.

229

230 ***MOTION:** To approve Jim Sheehan as the delegate for the FINA General Congress. Seconded.*
231 *APPROVED.*

232

233 **CLARIFICATION REGARDING WETSUITS IN OPEN WATER COMPETITION**

234 Michael Lawrence reported that swimmers are unsure of what wetsuits are approved for
235 open water competition, as there is not a FINA-approved list or consistency among races.

236 The IRC has recommended that USA Swimming send a letter to FINA requesting
237 clarification regarding wetsuits in open water competition.

238
239 **MOTION:** *To approve USA Swimming sending a letter to FINA requesting clarification from*
240 *the January 11th letter regarding wetsuits in open water competition. Seconded. APPROVED.*

241
242 The Board engaged in discussion regarding athlete concerns and what should be included
243 in the letter to FINA.

244
245 **ANTI-DOPING EFFORTS AND ACTIVITIES**
246 Michael Lawrence reported that the IRC recommends USA Swimming make a strong
247 statement in support of anti-doping efforts and activities. Mark Weber indicated that
248 athletes are working on a letter in this regard with the assistance of USADA's Travis Tygart
249 and Bill Bock.

250
251 **MOTION:** *To approve USA Swimming leadership work with the athletes and Travis Tygart to*
252 *prepare a statement of support for certain anti-doping efforts and activities. Seconded.*
253 *APPROVED.*

254
255 **OTHER REPORTS**

256 **BOARD CHAIR'S REPORT**

257 Jim Sheehan submitted a written report (Attachment 15).

258
259 **FINA BUREAU**

260 Dale Neuburger submitted a written report (Attachment 16) and summarized its contents.
261 Mr. Neuburger highlighted the proposed changes to FINA's constitution and reported on
262 FINA initiatives for 2017, the findings of the second McLaren Report, and FINA's next steps
263 with regards to those findings. Mr. Neuburger also updated the Board on efforts to
264 enhance the testing of foreign athletes training in the United States.

265
266 **FINA TECHNICAL SWIMMING COMMITTEE**

267 Carol Zaleski submitted a written report (Attachment 17) and noted that FINA has been
268 unhappy with the World Cup circuit and is looking for ways to improve the competition.
269 Ms. Zaleski shared some of the changes that the Technical Swimming Committee has
270 suggested to FINA.

271
272 **UANA**

273 Dale Neuburger submitted a written report (Attachment 18) and noted that UANA is
274 looking to host a Junior Swimming Championship event in Florida in December 2017.

275 **FINA ATHLETES COMMITTEE**

276 Aaron Peirsol submitted a written report (Attachment 19) and noted that the Athletes
277 Committee also has discussed potential improvements to the World Cup circuit. Mr. Peirsol
278 reported on the increased effectiveness and productivity of the current Athletes Committee
279 and its commitment to increase athlete representation from aquatic sports other than
280 swimming.

281
282 **U.S. OLYMPIC COMMITTEE**
283 **GOVERNANCE AND NGBC**

284 Ron Van Pool submitted a written report (Attachment 20) and highlighted Dr. Tobie
285 Smith's selection to the USADA Board of Directors.

286
287 **ATHLETES ADVISORY COUNCIL**

288 Nothing was reported.

289
290 **VICE CHAIR OF PROGRAM OPERATIONS REPORT**

291 Dan McAllen submitted a written report (Attachment 2).

292
293 **VICE CHAIR OF THE ATHLETES EXECUTIVE COMMITTEE REPORT**

294 Mark Weber submitted a written report (Attachment 21) and thanked Carol Zaleski, Dale
295 Neuburger, and Greg Eggert for their support at the Short Course World Championships.
296 Garrett Weber-Gale summarized recent activity by the National Team Athletes Committee.

297
298 **VICE CHAIR OF PROGRAM DEVELOPMENT REPORT**

299 John Bitter submitted a written report (Attachment 22).

300
301 **TECHNICAL VICE CHAIR REPORT**

302 Tim Bauer had nothing to report.

303
304 **VICE CHAIR OF ADMINISTRATION REPORT**

305 Robert Broyles submitted a written report (Attachment 23) and recognized Jane Grosser
306 and Cherita Gentilucci for their work on the Committee Chairs Meeting. Mr. Broyles also
307 emphasized the need for more advanced Convention planning and the use of the
308 Convention Education Committee as a resource.

309
310 **EASTERN ZONE REPORT**

311 Tristan Formon and Mary Turner submitted a written report (Attachment 24).

312
313

314 **CENTRAL ZONE REPORT**

315 Amy Hoppenrath and John Bradley submitted a written report (Attachment 25).

316

317 **SOUTHERN ZONE REPORT**

318 Clark Hammond and John Roy had nothing to report.

319

320 **WESTERN ZONE REPORT**

321 David Coddington and Sean Redmond submitted a written report (Attachment 26) and
322 announced that Julia Murphy was selected as the Meet Referee for Age Group
323 Championships.

324

325 **NCAA**

326 Marie Scovron submitted a written report (Attachment 27) and reported that the NCAA
327 Board of Governors has not made any decision regarding relocating events that are
328 scheduled to take place in North Carolina in the 2017-2018 season, after relocating nine
329 championship events from the 2016-2017 season.

330

331 **YMCA**

332 Jim Ryan submitted a written report (Attachment 28) and indicated that, after discussion,
333 the YMCA will hold its short course and long course national championship meets in
334 Greensboro, North Carolina. Mr. Ryan also reported that the YMCA is considering ways to
335 develop and retain membership and that YMCA competitive swimming programs are a
336 focal point, given their high membership retention rates.

337

338 **U.S. MASTERS SWIMMING**

339 Ed Tsuzuki submitted a written report (Attachment 29).

340

341 **AMERICAN SWIMMING COACHES ASSOCIATION (ASCA)**

342 Don Heidary submitted a written report (Attachment 30).

343

344 **OLD BUSINESS**

345 John Bradley asked about progress on evaluating new membership categories and related
346 fee structures. Pat Hogan indicated that there is nothing new to report at this time, but the
347 effort is on-going, and he will have more to discuss at the April 22 meeting.

348

349 **NEW BUSINESS**

350 There was no new business.

351

352

353 **FUTURE MEETINGS**

- 354 1) Friday, April 21 / International Relations Committee Meeting / Colorado Springs
355 a) Please note IRC meeting will begin at 8:00 a.m.
356 2) Friday, April 21 / SPECIAL SESSION – Board Review Task Force Recommendations to BOD /
357 Colorado Springs
358 a) Please note BOD meeting will begin on FRIDAY, APRIL 21 at 2:00 P.M.
359 3) Saturday, April 22 / Board of Directors / Colorado Springs
360 4) Sunday, July 2 / Executive Committee – Budget / Indianapolis
361 5) Tuesday, September 12-17 / United States Aquatic Sports Convention / Dallas – USAS
362 6) Saturday, November 18 / Board of Directors / Los Angeles – Golden Goggles Awards Nov.
363 19
364

365 **ADJOURN**

366 USA Swimming Board Chair, Jim Sheehan, adjourned this meeting at 12:27 p.m. Mountain
367 Time.

Respectfully submitted:



Lucinda McRoberts, Secretary & General Counsel



Jim Sheehan, Board Chair

USA Swimming Board of Directors Minutes Attachments

January 21, 2017 / Denver Gateway Marriott

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Attachment 3	Page 2 – DRAFT November 20, 2016 BOD Minutes
Attachment 4	Page 2 – USA Swimming Financial Statements
Attachment 5	Page 2 – USA Swimming Investment Report
Attachment 6	Page 3 – CSCAA Report
Attachment 7	Page 3 – Foundation 2016 Preliminary Revenue Bar Chart
Attachment 8	Page 3 – Chief Executive Officer’s Report
Attachment 9	Page 4 – Proposed LEAP 2 Changes
Attachment 10	Page 4 – Proposed LEAP 3 Changes
Attachment 11	Page 4 – Purposed Athletes Committee Manual (redline)
Attachment 12	Page 5 – Spring 2017 Zone Meetings–Athlete Attendee Proposal
Attachment 13	Page 5 – Registration/Membership Committee Manual
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Attachment 15	Page 7 – Board Chair’s Report
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