

USA Swimming Board of Directors Meeting Minutes

February 3, 2018 / Denver Gateway Marriott

1 **CALL TO ORDER**

2 USA Swimming Board Chair, Jim Sheehan, called the February 3, 2018 Board of Directors
3 meeting to order at 8:00 a.m. Mountain Time with the following members in attendance:
4

5 **PRESENT:** Dale Ammon, Tim Bauer, John Bitter, John Bradley, Robert Broyles, Van
6 Donkersgoed, Tristan Formon, Anthony Ervin, Natalie Hall, Clark Hammond, Don Heidary,
7 Tim Hinchey, Amy Hoppenrath, Bill Maxson, Lucinda McRoberts, Dale Neuburger, Derek
8 Paul, Aaron Peirsol, Chip Peterson, Sean Redmond, John Roy, Jim Ryan, Jim Sheehan, Davis
9 Tarwater, Ed Tsuzuki, Mary Turner, Ron Van Pool, Robert Vincent, Mark Weber, Carol
10 Zaleski.

11
12 **NOT PRESENT:** Dan McAllen (joined via conference call), Amy Schulz, Marie Scovron,
13 Bruce Stratton, Garrett Weber-Gale, Jim Wood (joined via conference call).
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 presented an updated Agenda (Attachment 1).
21

22 **MOTION:** *To approve the Agenda. Seconded. APPROVED.*
23

24 **CONFLICT OF INTEREST**

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

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

33 **INTRODUCTIONS**

34 **GUESTS**

35 Sandi Blumit (Risk Management Services), Bill Charney (Charney Associates), David Cooper
36 (Risk Management Services), Joe Gazzarato (Athlete), Andrew Gemmell (International
37 Relations Committee), Cecil Gordon (International Relations Committee), John Leonard

38 (American Swim Coaches Association), Nick Smagula (Athlete Executive Committee), Joel
39 Shinofield (College Swimming Coaches Association of America).

40

41 **STAFF**

42 Tom Avischious, Paula D'Amico, Cathy Durance, Matt Farrell, Jim Harvey, Debbie Hesse, Pat
43 Hogan, Belle McLemore, Lindsay Mintenko, Mike Unger, George Ward, Susan Woessner.

44

45 **RECOGNITION OF RECORDS**

46 Dan McAllen reported that as of January 5, 2018, Katie Ledecky set an American and U.S.
47 Open record in the 1650 freestyle at College Station, Texas. At Winter National
48 Championships in Columbus, Ohio, Zane Grothe set a short course U.S. Open and American
49 record in the 500 freestyle and an American and U.S. Open record in the 1650 freestyle
50 (Attachment 2).

51

52 **BOARD CHAIR'S REMARKS**

53 Jim Sheehan briefly highlighted the new agenda and congratulated Bill Schalz and John
54 Bitter for receiving this year's American Swim Coaches Association Peter Daland Award.

55

56 **MINUTES**

57 *MOTION: To approve the November 18, 2017 Board of Directors meeting minutes. Seconded.*
58 *APPROVED.* (Attachment 3).

59

60 *MOTION: To approve the November 19, 2017 Board of Directors meeting minutes. Seconded.*
61 *APPROVED.* (Attachment 4).

62

63 **CLOSED SESSION**

64 **LITIGATION UPDATE**

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

67

68 **PERSONNEL DISCUSSION**

69 The Board meeting remained in closed session so that Mike Unger and Jim Sheehan could
70 give updates on personnel matters.

71

72 **COLLEGE SWIMMING INITIATIVE UPDATE**

73 Joel Shinofield reported on current CSCAA initiatives, including working with public
74 relation firms to show the value of swimming and diving programs to a university, working
75 with the NCAA to reclassify tuition revenue at the Division I level, and expanding female
76 alumni groups to promote engagement with their alma maters.

77
78 Mr. Shinofield and John Bitter discussed a potential college swimming endowment program
79 and identified next steps in its development.

80

81 **BOARD POLICIES: REVIEW, DISCUSSION AN ADOPTION**

82 Jim Sheehan went through the proposed changes to Policies 2.0, 2.5.2, 2.6.2, 2.6.9, and 2.9.2.
83 within the Board of Directors' Governing Policies Manual (Attachment 5).

84

85 **MOTION:** *To strike Section 2(A) from Policy 2.5.2. Seconded. APPROVED.*

86

87 The Board discussed the wording of Policy 2.6.9 regarding attendance expectations and
88 financial contributions to the USA Swimming Foundation.

89

90 **MOTION:** *To amend Policy 2.6.9 to read "Each Board member is expected to make an annual
91 personal financial contribution to the USA Swimming Foundation." Seconded. FAILED.*

92

93 **MOTION:** *To amend Policy 2.6.9 to read "Each Board member is expected and required to
94 make an annual personal financial contribution to the USA Swimming Foundation. The
95 demonstration of support, rather than the amount of the contribution, is of principal
96 importance." Seconded. APPROVED.*

97

98 **MOTION:** *To adopt the proposed changes to Policies 2.0, 2.5.2 (as amended), 2.6.2, 2.6.9 (as
99 amended) and 2.9.2 of the Board of Directors' Governing Policies Manual. Seconded.*

100 **APPROVED.**

101

102 **ENDS REVIEW AND PLANNING**

103 Bill Charney presented CEO Tim Hinchey's Ends Interpretations and proposed revisions
104 (Attachment 6).

105

106 The Board engaged in discussion to clarify the intentions of End 1.2.C.v regarding "ease of
107 access at all levels of the sport."

108

109 **MOTION:** *To remove End 1.2.C.v from the Priority Results. Seconded. APPROVED.*

110

111 The Board further discussed levels of success as written in the Priority Results.

112

113 **MOTION:** *To adopt the Priority Results. Seconded. APPROVED.*

114

115

116 **BOARD PROCESS**

117 **POLICY 4.4 – MONITORING CEO PERFORMANCE**

118 Tim Hinchey and Bill Charney presented key items and metrics for Mr. Hinchey, the
119 Strategy Team and staff to accomplish, along with a timeline to achieve those items
120 (Attachment 7).

121
122 ***MOTION:** To adopt Policy 4.4 Monitoring CEO Performance of the Priority Results. Seconded.*
123 ***APPROVED.***

124
125 **NOMINATING COMMITTEE APPOINTMENTS**

126 Jim Sheehan presented his nominations for the Nominating Committee, including Board
127 members Mark Weber and Clark Hammond, as well as two independent members, Kurt
128 von Moltke and Wendy Boglioli (Attachment 8).

129
130 ***MOTION:** To approve the Mark Weber, Clark Hammond, Kurt von Moltke, and Wendy*
131 *Boglioli for the Nominating Committee. Seconded. **APPROVED.***

132
133 **CHARGE TO THE NOMINATING COMMITTEE**

134 Jim Sheehan presented suggested skills and attributes for what members of the Nominating
135 Committee should possess (Attachment 9).

136
137 ***MOTION:** To approve the charge for the Nominating Committee. Seconded. **APPROVED.***

138
139 Mr. Sheehan also reported that six at-large members will be elected in 2018 since he has
140 not received a request from an Allied Member or any other eligible organization to be
141 directly represented on the Board.

142
143 **COMMITTEE, TASK FORCE, AND OTHER REPORTS REQUIRING BOARD ACTION OR**
144 **DISCUSSION**

145 **NOMINATIONS FOR THE U.S. CENTER FOR SAFE SPORT BOARD OF DIRECTORS**

146 Ron Van Pool reported that Victor Vieth declined the opportunity to serve as the National
147 Governing Body Council’s nominee for the U.S. Center for Safe Sport Board of Directors
148 (Attachments 10-11).

149
150 **FINA BUREAU CANDIDATE**

151 Ron Van Pool described the need and process for United States Aquatic Sports to nominate
152 a candidate to serve on the FINA Bureau following Dale Neuberger’s retirement in 2021.

153
154

155 **BACKSTROKE RACING START CERTIFICATION PROTOCOL**

156 Pat Hogan provided a brief history of the Backstroke Start Racing Certification Task Force
157 which has developed a teaching protocol and certification process (Attachments 12-13).

158
159 ***MOTION:** To approve the proposed backstroke start teaching protocol and certification*
160 *requirement with an implementation date of May 1, 2018. Seconded. **APPROVED.***

161
162 **AGE GROUP TECH SUIT PROJECT RECOMMENDATIONS**

163 Tim Bauer reported that the Age Group Development Committee is in favor of banning the
164 use of tech suits by 12 and under swimmers, but the Committee still has considerable work
165 to do before proposing a rule change, including defining what constitutes a tech suit is and
166 assessing how to enforce any such restriction (Attachment 14).

167
168 Matt Farrell emphasized the need to work in partnership with suit manufactures to come
169 up with a definition and to educate and communicate the outcomes in the right way to the
170 appropriate parties.

171
172 The Board discussed the Isaac Sports Group study, *Use of Tech Suits by Age Group*
173 *Swimmers*, and the cost of tech suits.

174
175 **SWIMASSIST ELIGIBILITY REQUIREMENTS CHANGE**

176 Susan Woessner provided an overview of the SwimAssist program and highlighted the
177 proposed changes to it (Attachment 15).

178
179 ***MOTION:** To approve the proposed changes to the SwimAssist program. Seconded.*
180 ***APPROVED.***

181
182 **FINA DOPING UPDATE FROM IRC MEETING**

183 Jim Sheehan reported on the anti-doping panel that presented at the International
184 Relations Committee meeting on February 2, 2018. Mr. Sheehan highlighted a variety of
185 the panel's concerns, including the introduction of a new International Testing Authority
186 (ITA), communication issues with FINA, and possible ways to improve the process of
187 collecting and transporting data.

188
189 The Board discussed what USA Swimming could do to enhance anti-doping efforts.

190
191 **ALCOHOL/TOBACCO/GAMBLING TASK FORCE DRAFT RECOMMENDATIONS**

192 Matt Farrell reported that the Alcohol, Tobacco, and Gambling Task Force is working on
193 guidelines for serving alcohol at events, as well as guidelines for alcohol-related sponsors.

194 Mr. Farrell added that the task force will not be making any changes to existing language
195 regarding tobacco and gambling within the Rulebook but may add language regarding
196 marijuana (Attachment 16).

197
198 **MOTION:** *To approve the Alcohol, Tobacco, and Gambling Task Force to continue working on*
199 *guidelines regarding serving alcohol and alcohol sponsorship at events. Seconded.*

200 **APPROVED.**

201

202 **DISASTER RELIEF TASK FORCE**

203 Pat Hogan provided an overview of the process of the disaster relief grants offered by USA
204 Swimming for those areas effected by recent natural disasters, including how clubs may
205 use the grant money. Mr. Hogan also expressed the organization's desire to standardize
206 relief efforts.

207

208 **APPROVAL OF NEW FOUNDATION DIRECTOR**

209 Bill Maxson reported that Summer Sanders was stepping down from the Foundation Board
210 of Directors and that the Board is moving to a governance and fundraising board.

211

212 **MOTION:** *To elect Maya DiRado to a two-year term to the Foundation Board of Directors.*
213 *Seconded. APPROVED.*

214

215 **FINANCE UPDATE/ACTIONS**

216 Bob Vincent submitted a written report and provided verbal highlights, including that the
217 organization overcame a short fall in membership to produce a deficit that is
218 approximately \$650,000 better than currently budgeted (and much closer to the \$500,000
219 deficit originally budgeted) due to significant budget savings in several areas. Mr. Vincent
220 also reported that USA Swimming has added \$2.3 million to its reserves and that its year-
221 to-date investment return was 14.78% which outperformed the one, three and five-year
222 benchmarks (Attachments 17-19).

223

224 Jim Harvey submitted a written report and provided verbal highlights, including that the
225 USA Swimming Foundation's annual campaign raised over \$700,000 and major gifts raised
226 over \$1.4 million, resulting in a combined fundraising of \$2.1 million, which exceeded the
227 \$1.2 million budget. Mr. Harvey also reported that the Foundation's total net assets
228 increased by over \$3 million in 2017 (Attachment 20).

229

230 **CEO/STAFF UPDATES**

231 **OPENING COMMENTS**

232 Tim Hinchey updated the Board on internal restructuring efforts, including the creation of
233 a Foundation leadership team.

234 **USA SWIMMING FOUNDATION REPORT**

235 Debbie Hesse and Jim Harvey presented the financial history and evolution of the USA
236 Swimming Foundation since its founding in 2004 (Attachment 21).

237

238 **STAFF REORGANIZATION UPDATE AND 2018 KPIS**

239 Tim Hinchey reported on the staff reorganization into four business units: Technical/Sport
240 led by Mike Unger, Commercial led by Matt Farrell, Business Affairs led by Lucinda
241 McRoberts, and Finance led by Jim Harvey. Mr. Hinchey further reported on the different
242 phases for the organization that began in 2017 and go through L.A. 2028.

243

244 Mike Unger, Matt Farrell, Lucinda McRoberts and Jim Harvey provided overviews of their
245 respective business units, including Key Performance Indicators (KPIs) for each.

246

247 Mr. Hinchey and Mr. Unger provided an update regarding a possible partnership with
248 Tavistock Development in connection with its development of a training facility near Lake
249 Nona in Orlando, Florida.

250

251 **BOARD SCHEDULE**

252 **UPCOMING IN-PERSON BOARD MEETINGS**

253 Jim Sheehan reported that the next Board of Directors meeting on May 5, 2018 conflicts
254 with Open Water Nationals and suggested moving the meeting to the following weekend,
255 May 12, 2018.

256

257 ***MOTION:** To move the next Board of Directors meeting to May 12, 2018. Seconded.*

258 ***APPROVED.***

259

260 **OTHER MEETINGS/EVENTS**

261 Jim Sheehan reported that the International Relations Committee meeting will also change
262 dates and now be on Friday, May 11, 2018.

263

264 **SUMMARY OF FOLLOW-UP ITEMS**

265 There were no follow up items.

266

267 **BOARD MEETING EVALUTION**

268 Jim Sheehan asked the Board for their comments and suggestions on the new meeting
269 format.

270

271 It was suggested to have Finance Update earlier on the agenda, to highlight action items
272 and have those with written reports provide a summary.

273

274 **ADJOURN**
275 USA Swimming Board Chair, Jim Sheehan, adjourned this meeting at 2:18 p.m. Mountain
276 Time.

Respectfully submitted:



Lucinda McRoberts, General Counsel & VP Business Affairs



Jim Sheehan, Board Chair

USA Swimming Board of Directors Minutes Attachments

February 3, 2018 / Denver Gateway Marriott

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Attachment 2	Page 2 – Vice Chair of Program Operations Report
Attachment 3	Page 2 – DRAFT November 18, 2017 BOD Meeting Minutes
Attachment 4	Page 2 – DRAFT November 19, 2017 BOD Meeting Minutes
Attachment 5	Page 3 – DRAFT Board of Directors’ Governing Policies Manual
Attachment 6	Page 3 – ENDS Revisions/Sequence Proposed by CEO/Strategy Team
Attachment 7	Page 4 – Policy 4.4 Monitoring CEO Performance
Attachment 8	Page 4 – Proposed Nominating Committee Nominations
Attachment 9	Page 4 – Nominating Committee Charge
Attachment 10	Page 4 – Nominations to the U.S. Center for Safe Sport
Attachment 11	Page 4 – Amended & Restated Bylaws of U.S. Center for Safe Sport
Attachment 12	Page 5 – Backstroke Racing Start Memo to the Board
Attachment 13	Page 5 – Racing Start Safety Certification Protocol Proposal
Attachment 14	Page 5 – Age Group Development Committee’s Tech Suits Report - CONFIDENTIAL
Attachment 15	Page 5 – SwimAssist Program Proposal
Attachment 16	Page 6 – Alcohol, Tobacco, & Gambling Task Force Report
Attachment 17	Page 6 – Finance Vice Chair Report
Attachment 18	Page 6 – USA Swimming Financial Statement
Attachment 19	Page 6 – USA Swimming Investment Summary
Attachment 20	Page 6 - USA Swimming Foundation Financial Report
Attachment 21	Page 7 – History of USA Swimming Foundation
Attachment 22	Board Chair Report
Attachment 23	Administrative Vice Chair Report
Attachment 24	Program Development Vice Chair Report
Attachment 25	Athletes Vice Chair Report
Attachment 26	Eastern Zone Report
Attachment 27	Western Zone Report
Attachment 28	FINA Bureau Report
Attachment 29	FINA Technical Committee Report
Attachment 30	USOC & NGBC Report
Attachment 31	YMCA Report
Attachment 32	U.S. Masters Report
Attachment 33	ASCA Report

Attachment 34
Attachment 35
Attachment 36

Task Force Updates
International Relations Committee Report
CEO's Report for the Board