

**USMS CONVENTION – San Diego, CA – 2003**

Committee Name: Legislation Session # (if more than one meeting): 2 Cmte. Report #: 31

Minutes recorded by: Jennifer Parks Date/time of this meeting: **Thursday Sept 11<sup>th</sup> 1:00 – 2:30**

ACTION ITEMS  
PROPOSED EXPENDITURES

None.

ACTION ITEMS

None.

Committee Chair: **Rob Copeland** Vice Chair(s): **Laura Kessler**

Number of committee members present: 15 Absent: 2 Number of other delegates at this meeting: 53

Committee members present (list all): Paul Fortoul, Marilyn Fink, Marcia Marcantonio, Homer Lane, Steve Patterson, Laura Kessler, Bill Cleveland, Mary Hull, Jon Steiner, Sean Fitzgerald, Richard Smith, Cindy Hawkinson, Jennifer Parks, Rob Copeland, Arni Litt  
Ex-officio members: Meg Smath, Leo Letendre, Patti Powis

**MINUTES**

The meeting was called to order at: 1:10 p.m., 9/11/03

1. Discussion of L24, Part 4: Chair Rob Copeland explained the recommendation to change the title and the body of Part 4 to update this area of the Rule Book. He referred to the “conduct” issues, the issues that might be possible cause for grievances, and the major addition of a National Board of Review. Patty Powis, ex-officio member of the Legislation Committee, explained briefly the legal issues.

There was a question on 402.4.5, the conduct piece. A comment was made that the chair of the National Board of Review should be voted on by the Board of Directors. It was reiterated that each panel would have three or more members to review grievances. It was suggested that it be clarified that how those panels were chosen. Another recommendation was to clarify the idea of the possible “pool” of people who might be appointed, from whom a panel would be chosen. There was also much discussion about whether the same people should hear all the grievances. The filing fee was questioned about its appropriateness. There was question concerning “recognized” events. The applicable FINA bureau decisions were mentioned; the model of USA Swimming includes this language. Dan Gruender recommended that procedures on delineating the discovery for the complainant be included in the Rule Book. (There will be a policy manual that will include this procedure.) “Unsporting” behavior will be substituted for “unsportsmanlike” behavior throughout this document. It was suggested that the “Appeal Panel” be selected by the BOD, rather than the President and the NBR Chair.

2. Discussion of L13: Elimination of Zone Committee: Lynn Hazlewood discussed this issue and the problem of integration of the Zone Representatives, and the reason for the Zone Committee. Lynn introduced the concept of Zone Representatives job descriptions. There also was much discussion on both sides of this issue, some of it centering on the election responsibilities of this committee, as well as other responsibilities, dealing with both the role and responsibilities of the Zone Representatives and the Zone Committee.

The chair, thanked all of those who attended and provided input. The committee will work in session to incorporate the ideas and suggestions into the proposed code and the National Board of Review Policy Manual.

The meeting was adjourned at: 2:30 p.m.

**TASKS FOR THE UPCOMING YEAR**