

Hawaiian Swimming
Board of Directors Meeting Minutes – FINAL
October 6, 2013 Chaminade University

Present:

David Coleman, LSC General Chair
Wendy Shigeta, Secretary
Ken Suenaga, Safety Chair
Ron Iwamoto, Club, Athlete & Special Program Development
Reid Yamamoto, Maui At Large
Mike Osborne, Big Island At-Large
Jon Hayashida, Senior Vice Chair
Gwenn Tomiyoshi, Registration & Membership Chair
Kevin Frifeldt, Senior Athlete Rep
Rebecca Walton, Junior Athlete Rep
Linda Lileikis, Finance Vice Chair
Sandy Drake, Officials Chair
Malcolm Cooper, Age Group Vice Chair
Kenny Chew, Administrative Vice Chair
Larry Oshiro, Coaches' Rep
Dustin Fukuda, Coaches' Rep
Peggy Glasgow, Times Administrator
Lynne Nakamura, Treasurer
Dean Schmaltz, Technical Planning
Theresa Walton, Guest

Call To Order: Meeting was called to order by LSC General Chair at 10:33 a.m.

A. Approval of Minutes:

Board of Directors Meeting Minutes of June 30, 2013

1. **Action:** Typographical error on Page 2, Section C. Treasurer's Report Item 2. Word "current" should be "currently." Also in Item 4 word "otion" should be "Motion."

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2. **Action:** Moved to accept the minutes of June 30, 2013 with typographical correctios. Motion passed unanimously. Minutes are accepted and will be posted as a final copy.

B. Change of Date for House of Delegates Meeting

1. **Informational:** House of Delegates meeting was originally scheduled for November 10, 2013. However, this is the same day as an Age Group Meet. Suggested that we change the date of the HOD meeting.
2. **Action:** Motion to change the date of the HOD meeting to Saturday, 11/16/2013 after the morning session of the Senior Championships (approximately 11:30 a.m. – 2:30 p.m.). Motion passed unanimously. Dave will email everyone a more exact time once the timeline is set.

C. New Big Island At-Large Representative

1. **Informational:** The General Chair has accepted the resignation of Charlie Camacho as Big Island At-Large Representative and has appointed Michael Osborne as the new Big Island At-Large Representative.
2. **Action:** The Board approved this nomination unanimously.

D. Treasurer's Report

1. **Informational:** Surcharges from Clubs hosting meets have not been coming in a timely manner.
2. **Action:** Treasurer will send out letters to Clubs to remind them to send in their meet reports and surcharges. If they do not, they can be fined.
3. **Informational:** Still looking for names for the Treasurer's position.

E. Registrar's Report (attached)

1. **Informational:** Sometime in August, Registrar sent an e-mail to all Board Members asking whether they would approve of a new club, Liquid Aloha Aquatics (Big Island). It was approved by the Board and they are now a part of our LSC.
2. **Informational:** At the end of the 2013 season on August 31, 2013:

Total Athletes were 3104

This represents an improvement over prior years.

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Non-Athletes were 346
Clubs & Organizations were 31

Since the start of 2014 season:
Total Athletes registered is 466
Non-Athletes registered is 64
Clubs initiating registration is 7

3. **Informational:** From the convention: Coaches do not need to take the First Aid Class because it is included in the Safety Training for Swim Coaches. However, they still need to take the Lifeguarding Water Safety component. When coaches take the test for renewal, they need to send the report that has a valid date with year. The information will be posted on the website.
4. **Informational:** Changes to the Technical Rules have been posted on the website

F. Convention 2013

1. **Action Needed:** All convention attendees should submit a written report to either the General Chair or to the Secretary as soon as possible for posting. If there are any action items, let the General Chair know and he will put it on the next agenda.
2. **Informational:** General Chair's Convention Report submitted. Change in Code of Ethics in that if an athlete is under supervision of a coach, no relationship should occur. Another big change was the removal of the Board of Review at the LSC level. Anything having to do with the Code of Ethics will go to a Zone Board of Review.
3. **Informational:** Age Group Chair shared that at the Convention they are pushing for shorter meets. In most cases, it is not the athletes that want to drop out, but parents due to the length of meets.
4. **Informational:** Athletes reported that the meetings seemed well run. Athlete reps should impress upon other athletes that they should watch the Safe Sport Video. Athletes 13 and over should watch it. Athletes 12 and under should have their parents watch it.

G. Nominations Committee Report

1. **Informational:** No nominations at this time

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2. **Action Needed:** Need to post slate by October 24, 2013. Administrative Vice Chair will send the slate to General Chair by 10/21/13. General Chair will then send an e-mail to the Board for input/approval and can then post on the site on 10/24/13.
3. **Informational:** Positions up for re-election are:
 - Age Group Vice Chair
 - Technical Planning Committee Chair
 - Registration / Membership Coordinator
 - Club, Athlete & Special Program Development Coordinator
 - Treasurer
 - Nomination Committee

H. Bylaws Changes mandated by USA Swimming HOD

1. **Informational:** #1, #2, and #3 are mandated changes USA Swimming. #4 is optional.
 1. Delete Article 610 Board of Review Organization
 2. Addition to Section 611.3: "LSCs are required to update their bylaws and send a copy to bylaws@usaswimming.org within 60 days of the effective date of any changes to the Required LSC Bylaws by the USA Swimming HOD or the LSC HOD.
 3. Section 604.8 Nominating Committee: 604.8.1 MEMBERS OF THE NOMINATING COMMITTEE; ELECTION – The Nominating Committee shall comprise not fewer than five (5) individual Members. The Nominating Committee members shall be elected biennially by the House of Delegates and will serve until their successors are elected. If the House of Delegates does not act in a timely fashion the Board of Directors shall elect a Nominating Committee to serve until their successors are elected. A number greater than five (5) may be designated from time to time by either the House of Delegates or the Board of Directors. Each nominating Committee member shall be a member of the House of Delegates and no more than two (two-fifths if there are more than five (5) members of the Nominating Committee) shall be Board Members or Executive Committee members. Section 606.3 shall apply to member of the Nominating Committee but service as the immediate past General Chairs shall not be counted for that purpose. If any member of the Nominating Committee resigns or otherwise becomes unable to participate in its affairs, the General Chair, with the advice and consent of the Board of Directors, shall appoint a successor to serve until the next meeting of the House of Delegates. In no case shall the General Chair serve on the Nominating Committee.
 4. Administrative Review Board (New Article 610)

COMMENTARY NOTE: Each LSC may adopt the following Article to allow the LSC to internally handle administrative matters which do not rise to the level of a Code of Conduct violation. LSCs which do not adopt this Article should retain the Article 610 numbering and note: "[Intentionally Deleted.]" where the Article title would otherwise be.

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ARTICLE 610

ADMINISTRATIVE REVIEW BOARD

610.1 INTRODUCTION - USA Swimming was organized as the National Governing Body for the sport of swimming under the Amateur Sports Act of 1978, as amended by the Ted Stevens Olympic and Amateur Sports Act of 1998, both federal laws. These laws require USA Swimming to establish and maintain provisions for the swift and equitable resolution of all disputes involving any of its members. This Article, together with Section 602.2 and Part Four of the USA Swimming Rules and Regulations, are intended to provide a mechanism for resolving in an orderly and fair way all manner and kinds of disputes that may arise among its members in connection with the sport of swimming. Accordingly, XXSI has established the Administrative Review Board to hear complaints and appeals regarding administrative matters within the LSC. The Administrative Review Board shall have no jurisdiction to hear complaints regarding conduct that may violate the USA Swimming Code of Conduct or otherwise violate the policies, procedures, rules and regulations adopted by USA Swimming, or conduct that may bring USA Swimming, XXSI or the sport of swimming into disrepute. This Article, together with Part Four of the USA Swimming Rules and Regulations, is intended to provide a fair hearing before a group of independent and impartial people. This Article and Part Four of the Rules shall be construed accordingly.

610.2 ADMINISTRATIVE REVIEW BOARD ORGANIZATION -

.1 ESTABLISHMENT- The Administrative Review Board of XXSI shall be independent and impartial.

.2 MEMBERS- The Administrative Review Board shall have at least three (3) regular members, at least one of whom shall be an athlete member, and at least one alternate member. At least three members of the Administrative Review Board shall hear each case, with a sufficient number of athlete members to constitute at least twenty percent (20%) of its membership. No hearing shall proceed without the required athlete representation. The House of Delegates may increase the number of regular or alternate members by resolution but subsequent to the adoption of these Bylaws may only decrease the number of regular or alternate members upon the expiration of the term of office of any incumbent members.

.3 ELECTION; TERM OF OFFICE; ELIGIBILITY -

A. Election- The House of Delegates shall biennially elect regular and alternate members of the Administrative Review Board:

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- B. Term of Office - The term of office shall be two (2) years. Each member and alternate member shall assume office upon election and shall serve until a successor takes office.
- C. Eligibility - Each regular and alternate member of the Administrative Review Board shall be an Individual Member of XXSI and USA Swimming. In no case shall elected members of the Board of Directors serve on the Administrative Review Board.
- .4 CHAIR ELECTED BY BOARD; OTHER OFFICERS - The Chair of the Administrative Review Board (the "Chair") who must be a regular member, shall be elected biennially by a majority vote of the regular members of the Administrative Review Board. The Chair shall biennially appoint a Vice Chair and a Secretary of the Administrative Review Board, each of whom must be regular members.
- .5 MEETINGS - The Administrative Review Board shall meet for administrative purposes as necessary, to elect the Chair, to adopt rules and procedures and to conduct other business as may be helpful or necessary to achieve the purposes of the Administrative Review Board and efficiently exercise its duties and powers. Other meetings may be called by the Chair or any two regular members. When meeting for administrative purposes, those provisions of Article 607 that are specified in Section 607.20 shall apply to the Administrative Review Board.
- .6 PARTICIPATION THROUGH COMMUNICATIONS EQUIPMENT - Members of the Administrative Review Board may participate in a meeting or hearing of the Administrative Review Board, and any hearing may be conducted, in whole or in part, through conference telephone or similar equipment by means of which all persons participating in the meeting can hear each other at the same time. Participation by these means shall constitute presence in person at such a meeting or hearing.
- 7 QUORUM - A quorum for any administrative meeting of the Administrative Review Board shall be fifty percent (50%) of its regular members.
- .8 RESIGNATIONS - Any regular or alternate member of the Administrative Review Board may resign by orally advising the Chair or by submitting a written resignation to the Chair, the General Chair or the Board of Directors specifying an effective date of the resignation. In the absence of a specified effective date, any such resignation shall take effect upon the appointment or election of a successor.

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- .9 INCAPACITIES AND VACANCIES - Determination of Vacancy or Incapacity - In the event of a vacancy in the office of the Chair, or other members of the Administrative Review Board, the LSC shall have in place reasonable written and published rules consistent with the laws of the state of incorporation of the LSC to determine when such membership on the Administrative Review Board becomes vacant or a Chair or member becomes incapacitated. The determination as to when the Chair is temporarily incapacitated shall be made, where the circumstances permit, by the Chair and otherwise shall be within the discretion of the Administrative Review Board, subject to any subsequent action of the Board of Directors.
- .10 SUBSTITUTIONS FOR MEMBER - In the event that a regular member of the Administrative Review Board is unable or unwilling to promptly act for any reason, recuses herself or himself or is disqualified in any particular circumstance, the Chair (or, if the person so unable or unwilling to act or recused or disqualified is the Chair, the Vice Chair; or failing that, the General Chair) shall appoint the alternate member or, if the alternate member is not available, a disinterested Individual Member to act in the regular member's place and stead in respect of that circumstance.
- .11 LEGAL ADVICE - Where appropriate or helpful, the Chair may consult the USA Swimming General Counsel, the Chair of the USA Swimming Rules or Officials Committees or of the Bylaws Subcommittee or an attorney (who need not be a member of XXSI, USA Swimming or the Administrative Review Board) retained by the Administrative Review Board or the Chair regarding any issue raised by a proceeding.

610.3 GENERAL -

- .1 ADMINISTRATIVE POWERS - The Administrative Review Board shall have the powers and the duty to:
- A. administer and conduct the affairs and achieve the purposes of the Administrative Review Board,
 - B. establish policies, procedures and guidelines,
 - C. elect the Chair,
 - D. call regular or special meetings of the Administrative Review Board,
 - E. retain attorneys, agents and independent contractors and employ those persons which the Administrative Review Board may determine are appropriate, necessary or helpful in the administration and conduct of its affairs, and
 - F. take such action as may otherwise be appropriate, necessary or helpful in the administration and conduct of its affairs, the achievement of its purposes and the efficient exercise of its duties and powers.

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2. RULE MAKING POWERS - The Administrative Review Board shall have the power and the duty to promulgate reasonable rules and procedures consistent with the corporation laws of the LSC with respect to any matter within its jurisdiction or appropriate, necessary or helpful in the administration and conduct of its affairs. Such rules and procedures shall have the same force and effect as if they had been adopted as part of these Bylaws.
3. EXERCISE OF POWERS AND DECISIONS - Except for authority and power granted to the Chair, the exercise of the authority and powers of the Administrative Review Board and the decision of matters which are the subject of a hearing shall be decided by a majority vote of the Administrative Review Board. The views of any dissenters shall be included in the record of the proceeding if requested by the dissenters. The exercise of the Administrative Review Board's authority and power shall lie solely in its discretion and the interests of justice and the sport of swimming.
4. TIMELINESS OF PETITION - The Administrative Review Board need not exercise its jurisdiction with respect to a complaint the subject matter of which occurred, or concerns or is founded on events which occurred, more than ninety (90) days prior to the date the complaint is received. A determination not to exercise its jurisdiction as a result of the untimeliness of a complaint may be made by the Chair alone and may be the subject of a request for rehearing and, thereafter, appeal to the Zone Board of Review pursuant to Part Four of the USA Swimming Rules and Regulations.
2. **Action:** Approved #1, #2, and #3 changes and recommend that these changes be passed on to the House of Delegates for final approval of By Law changes.
3. **Discussion:** Discussed the need for #4 which would establish an Administrative Review Board to look at just administrative issues. It may be enough to develop a Task Force as needed to address specific issues. The development of a Task Force can be outlined in the Rules and Regulations and how it would proceed could be outlined in the Policies and Procedures.
4. **Action:** #4 was defeated unanimously and will not be forwarded to the House of Delegates.
5. **Action Needed:** Executive Committee will develop language for a Task Force in the Rules & Regulation. The General Chair will send thank you letters to the current Board of Review members. The Board of Review actually remains in place until the HOD removes it.
6. **Action:** Motion for an additional By Laws change #5 (not mandated by USA Swimming) made by Ron Iwamoto: PROPOSAL: BYLAWS CHANGE: AMEND 604.1.3 to include language to read, "that at the time of election, the incoming athlete's

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representative (Junior Athlete's Representative) must not be from the same club as the Senior Athlete's Representative."

7. Discussion:

- From a diversity perspective, it would help to have a wider variety of clubs represented on the Board
- It would not cost anything to the LSC
- Concern whether we can dictate how athletes choose their representatives
- May not be fair to exclude athletes from running (if there is already a representative from their club on the Board)
- Maybe another way to increase diversity is to make athletes more aware and extending the voting period so it's not just at States
- Suggestion that have each team have one vote
- Another suggestion to increase diversity is to use the "At Large" Board members for additional athlete representatives

8. Action: Motion to table discussion on #5 and discuss By Laws change #6:
PROPOSAL: BYLAWS CHANGE: NUMBER OF ATHLETE DELEGATES TO SERVE ON THE BOARD OF DIRECTORS. Motion passed unanimously.

9. Action: Motion for By Laws change #6 to increase the number of athlete delegates to serve on the Board of Directors from 2 to 5 with 1 representative from the Big Island, Maui, and Kauai and 2 athletes from Oahu with representatives elected from their respective island.

10. Discussion:

- By Laws state that the Board needs to be comprised of at least 20% athletes. To be in minimum compliance with the By Laws, need at least 3 athlete members.
- Recommend that athletes be reminded to consider diversity when nominating and voting.
- Recommend that the Chair and the Board use the At Large seats to increase diversity from different clubs as needed.
- General Chair should contact USA Swimming to make sure that restricting athletes to voting for only their island representative is okay.

11. Action: Motion to remove item (e) from the proposal which stated "cannot be a member of the same club as any of the other currently serving Representative."
Motion passed 14 votes to 0.

12. Action: Motion as amended brought to question. Motion passed with one abstention.

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13. **Action:** Previous motion for By Laws change #5 defeated unanimously.

I. Old Business

A. Crisis Management Plan

1. **Action Needed:** Senior Committee chair will submit a draft directly to the HOD

B. LEAP 2 Responsibilities

1. **No Action**

J. New Business

A. LSC Equipment on Oahu

1. **Discussion:**

- Suggestion that we store it at VMAC

- Suggestion that we purchase a portable unit to place at VMAC

2. **Action Needed:** Technical Committee needs to work on a plan.

B. LSC Quadrennial Plan

1. **Action Needed:** Leap 2 requires a Quadrennial Plan both for events and for budgeting purposes. Finance Vice Chair and Technical Committee Chair will work on it. We're in the second year of the Quad Plan for meets.

C. Change to Policy and Procedures Manual (page 5)

1. **Action:** Technical Planning Chair moved to change the Policy and Procedures Manual (page 5) (instead of the change that was passed by the BOD at the last meeting). Proposed change reads as follows:

4.01 Meet Schedules:

To ensure proper coordination and programming of available dates, the swim year schedule in its original form will show the Age Group, Senior, ILH, OIA, MIL, BIIF, KIF and national meets if and when a schedule is provided by the respective authorities representing the other swimming programs. All Group Members shall sponsor one (1) regular season age group meet OR co-sponsor with another group member two (2) regular season age group meets during the swimming year. The sponsorship of an invitational or championship meet does not satisfy this requirement. Group Members are to submit their schedule preferences and/or restrictions to the Age

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Group Chair no later than 30 days after the posting of the initial approved schedule. The Age Group Committee shall then assign sponsor dates to each Group member taking into consideration submitted requests and restrictions, venue availability, historical, and other factors determined to be in the best interest of each respective island.

2. **Action:** Motion passed unanimously

D. Discussion about possible LSC Manager

1. Discussion:

- As LSCs reach certain sizes, recommended that the LSC consider employing someone to handle day-to-day operations.
- Main reason would be to alleviate day-to-day tasks from the volunteer Board Members so they can concentrate on policies.
- Chair presented a proposed budget for developing a full-time LSC Manager
- Would need people on the Board with expertise in hiring, supervising employees, etc.
- Need to consider the length of the employment (may have a hard time finding someone for just a year)
- Those with experience having an LSC Manager found it helpful
- Until we really know how our finances are, need to be cautious.

2. **Action:** Motion made to explore the idea of employing an LSC Manager further. Seconded. Motion passed unanimously.

E. Complaints received from individual members regarding the change in the State Short Course Age Group Championships

1. Discussion

- In the By Laws it says that if a change in the schedule is less than 60 days prior to the meet, there are financial liabilities so we are not financially responsible in this instance as the change was made more than 60 days prior to the meet.

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- Maybe need to put a disclaimer that the schedule is a draft and parents should be cautious about making reservations until the schedule is finalized
- 2. **Action:** General Chair will contact the coach of the team where the complaints came from and will write a response

F. Senior Committee Chair made a motion to set the Western Zone entry deadline as May 31st of each year with no exceptions. This would be the date that applications and payment are due.

1. Discussion

- Senior Committee originally discussed having one meet in which all Zone qualifiers and near qualifiers would have to attend Team Hawaii would be selected there. Several concerns were brought up including cost and if the swimmer aged up after the selection meet.
- Main concern is to select Team Hawaii with enough time in order to coordinate things better. Selecting early may also help in reducing the cost as group travel arrangements can be done earlier.
- Would need to try to ensure that all the islands have a meet close to the deadline that has all the events that will be swum at Western Zones.
- Zone Coordinator would have the flexibility of adding near qualifiers to Team Hawaii if additional relay members are needed. An early deadline would help in this process as the Coordinator can see how many more swimmers are needed for relays and can ask the near qualifiers early enough.
- Concerns brought up regarding getting information out early, costing it out correctly, etc. The Zone Coordinator would be responsible for figuring out the procedures.

2. **Action:** Motion to call the proposal to question. Seconded. Motion passed with two abstentions.

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G. Senior Committee Chair made a motion to change the Hawaiian Swimming Age Group Championship to include 14 and under swimmers only. Motion was seconded.

1. Discussion

Pros:

- This would align better with Western Age Group Zones which is only for swimmers 14 and under.
- This change would reduce the length of the meet by reducing the number of events from 145 to 102 and reducing the number of heats for longer events 400 and over.
- Could move to a 3 day format.
- Shorter sessions may attract more volunteers and retain 14 and under athletes in swimming.
- Reduce the conflicts with USA Swimming Events for senior level swimmers as senior swimmers would be swimming at the Senior Championships which would be earlier.
- 11 year old swimmers do not have an opportunity to swim 200's in a championship meet prior to Western Zones
- More time in between prelims and finals which is more in line with Western Zones.
- Officials are not at their best when they are required to be out on deck for such long sessions.

Cons:

- May add additional travel expenses for coaches and parents
- Number of officials available may be impacted if officials have swimmers who are not 14 and under
- Younger swimmers would not be able to watch the fastest older swimmers at the Championships
- Teams may require additional staff since while the 14 and unders are swimming at the meet, there would need to be coaches coaching the older swimmers

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- Looking at the other LSCs in the Western Zones, the LSCs that have separate Championship Meets for the younger swimmers and the senior swimmers are a lot bigger. Our LSC numbers do not bear out the need for separate meets.
- There may be 15 – 17 year olds, especially boys, who do not have Senior “A” or “B” times who would not be eligible to swim in Senior Championships, but could have qualifying times for Age Group Championships. However, time standards can be readjusted if this is a problem.
- Or if they do have Senior times, they may only qualify for 1 or 2 events while at States they could swim 8 events. So if they are from the neighbor islands, they may not come to a Championship meet if their only option is to swim 1 – 2 events at Senior Champs on Oahu.
- From the athlete’s perspective, athletes seem to like having the entire team at one meet as it unifies the team and the younger swimmers like the opportunity to be around the older swimmers.
- Some of the senior swimmers made their Jr. National cut at State Age Group Championships because they had a longer time to train.
- Older swimmers provide an example for the younger swimmers with examples on how to prepare for swimming fast and watching older swimmers help motivate the younger swimmers.
- Can this change be made since we are in a Quad? Even if you are in a Quad, you can change the nature of the meets. The Quad only applies to dates.

Other suggestions:

- Instead of allowing athletes to enter 8 events, we could allow them to enter only 6 events which would be better aligned to mainland meets. However, this may not reduce the timeline if we add in the 200’s for the 11-12 year olds.
- Include this proposal in the survey that is supposed to be sent out per the last HOD meeting to parents to get their input on this and whether this format would more likely retain swimmers.

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- 2. Move to a vote. Motion passed with several nays. Motion will be forwarded to the HOD.**

H. Committee Reports

1. **Action:** All Chairs are asked to submit a written report to the secretary within the week to be included in the minutes or it will be posted as no report.
2. **Times Administrator:**
Informational: The following high school meets have been submitted as observed meets: Kalani Invitational, OIA Championships, JV Championships, ILH and ILH JV Champs, and State Championships. NOT OIA East or West meets.
3. **Administrative Vice-Chair:** No report submitted
4. **Finance Vice-Chair:** No report submitted
5. **Age Group Vice-Chair:** Report attached
6. **Senior Vice-Chair:** No report submitted
7. **Club, Athlete & Special Program Development Chair:** No report submitted
8. **Technical Chair:** No report submitted
9. **Safety Chair:** No report submitted
10. **Athletes' Representatives:** No report submitted
11. **Coaches Rep:** No report submitted
12. **Officials Chair:** Report attached

Next Board Meeting: January 12, 2014

House of Delegates Meeting: November 16, 2013 (following the morning session at Senior Championships at UH Manoa Pool)

Adjournment: The meeting was adjourned at 2:00 p.m.

Attachments to the Minutes: Sign-in sheet, Report from Registration Committee Chair, Report from Age Group Vice-Chair, Report from Senior Committee, Report from Officials Chair, Written Proposal to Change the Hawaiian Swimming Age Group Championship to only Include

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Swimmers Age 14 and under, Convention Report from Registration Committee Chair,
convention Report from the General Chair

Minutes respectfully submitted by Wendy Shigeta, Secretary

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