

POLICIES AND PROCEDURES

Davis Aquatic Masters

Davis, California

**Updated by the Board of Directors
September 2, 2019**

Davis Aquatic Masters Policies and Procedures

1. Purpose of the Organization

- 1.1. To serve the adult members of the Davis community by providing opportunities to maintain or increase physical fitness through swimming, opportunities to participate in competitive swim events, and education on the health benefits of swimming.
- 1.2. To encourage camaraderie and supportive interactions among members.
- 1.3. To encourage the spirit of volunteerism and to support and maintain the vitality and vigor of the organization.
- 1.4. To maintain the rights and privileges of a public-benefit nonprofit corporation [501(c)(3)].

2. Definitions

- 2.1. **United States Masters Swimming.** United States Masters Swimming (USMS) is a national, membership-operated nonprofit organization that provides organized workouts, competitions, clinics, and workshops for members 18 years of age and older. Programs are open to all swimmers (for example, fitness, triathlete, competitive, and non-competitive) who are dedicated to improving their fitness through swimming. USMS provides liability insurance for local clubs registered through a local masters swimming committee (LMSC) and minimal accident insurance for swimmers during workouts and sanctioned events.
- 2.2. **Pacific Masters Swimming.** Pacific Masters Swimming (PMS) is an LMSC that is authorized and sanctioned by USMS to conduct the functions of USMS through registered clubs.
- 2.3. **Davis Aquatic Masters.** Davis Aquatic Masters (DAM) is a public benefit non-profit organization under California law and a tax-exempt organization pursuant to Internal Revenue Code Section 501(c)(3). DAM is a registered club of PMS with USMS liability and accident insurance. DAM establishes its own policies, programs, and fees and dues of its members, and hires personnel to carry out its programs.
- 2.4. **Aquatics Council.** The Aquatics Council is a committee organized by the City of Davis Parks and Community Service Department. The council includes representatives of all city cosponsored aquatics programs and school aquatics programs. Its functions include long-range planning for aquatic facilities, scheduling of pool use, joint purchase of equipment, and resolution of problems of mutual concern.

3. Non-Discrimination Statement and Policy

Davis Aquatic Masters does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations. These activities include, but are not limited to, hiring and firing of staff, selection of volunteers and vendors, and provision of services. We are committed to providing an inclusive and welcoming environment for all members of our staff, our swimmers, volunteers, subcontractors, vendors, and clients.

Davis Aquatic Masters is an equal opportunity employer. We will not discriminate and will take affirmative action measures to ensure against discrimination in employment,

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recruitment, advertisements for employment, compensation, termination, upgrading, promotions, and other conditions of employment against any employee or job applicant on the bases of race, color, gender, national origin, age, religion, creed, disability, veteran's status, sexual orientation, gender identity or gender expression.

4. Non-Compliance Statement and Policy

DAM members and drop-in swimmers who choose not to comply with DAM Policies and Procedures or direction from the coaches on deck will be issued several warnings and given the opportunity to comply with DAM policies and procedures and coaches on deck.

- 4.1. Non-compliance notice number one is written, member must comply with coach and DAM Policies and Procedures.
- 4.2. If member does not comply they will receive Non-Compliance warning #2.
- 4.3. Non-compliance notice number two is written.
- 4.4. This results in a 30-day suspension of member from all DAM workouts, lap swims, competitions, and social functions.
- 4.5. Non-compliance notice number three is written, resulting in permanent expulsion from DAM.

5. Officers, Officials, and Members of DAM

5.1. The bylaws of DAM specify the number of directors, the composition of the board of directors (board), and the duties of the president, vice president, secretary, and treasurer. Nothing in this document supersedes the bylaws.

5.2. Duties of the President

- 5.2.1. Provide general supervision, direction, and control of the business and affairs of DAM.
- 5.2.2. Prepare meeting agendas with assistance from other board members.
- 5.2.3. Preside at all meetings of the board and members.
- 5.2.4. Manage meetings of the board and members. Keep order and maintain a focus on the objectives of each meeting.
- 5.2.5. Direct and control the activities of the employees of DAM unless such duties are specifically delegated to others.
- 5.2.6. Assist in developing the organization's objectives and in ensuring that the objectives are met.
- 5.2.7. With assistance from other board members, develop and oversee a plan for accomplishing the organization's objectives.
- 5.2.8. Take primary responsibility for DAM's management, budget, and annual audit; bylaws, policies and procedures, and annual meetings and reports; elections; and long-range planning.
- 5.2.9. Monitor the progress of individual or committee assignments.
- 5.2.10. Encourage committee members' contributions through positive feedback and expressions of appreciation.
- 5.2.11. Other authorities, duties, and responsibilities as may be prescribed by the board.

5.3. Duties of the Vice President

- 5.3.1. Perform the duties of the president in the absence or disability of the president.
- 5.3.2. Meet responsibilities delegated by the president.

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- 5.3.3. Other duties and responsibilities as may be prescribed by the board.
- 5.4. Appointment and Duties of the Secretary
 - 5.4.1. The secretary is elected annually by the board.
 - 5.4.2. Record, produce, and distribute minutes of board meetings and special meetings called by the board.
 - 5.4.3. After approval of the minutes of each board meeting, post the minutes on the DAM website or arrange for the minutes to be posted.
 - 5.4.4. Maintain a file of all committee reports.
 - 5.4.5. Notify officers and committee members of their election or appointment.
 - 5.4.6. Furnish committees with any documents required for the performance of their duties.
 - 5.4.7. Have on hand at each meeting a list of all existing committees and their members.
 - 5.4.8. Maintain record books in which the bylaws, any special rules of order, standing rules, and minutes are entered. Properly record any amendments to these documents, and have the current record books available at every meeting.
 - 5.4.9. In the absence of the president and vice president, call the meeting to order and preside until a chair pro-tem is elected, which should be the first order of business.
 - 5.4.10. Other such duties as the board may prescribe.
- 5.5. Appointment and Duties of the Treasurer
 - 5.5.1. The treasurer is elected annually by the board.
 - 5.5.2. Oversee the duties and performance of the financial director. Review monthly bank statements and reports from the financial director prior to monthly board meetings.
 - 5.5.3. Other duties and responsibilities as may be prescribed by the board.
- 5.6. Duties of Board Members
 - 5.6.1. Administer the bylaws and the policies and procedures of DAM. The latter may be changed by a majority vote of the board.
 - 5.6.2. Attend regularly and contribute to the board meetings and committee meetings. Resolve conflict objectively and focus on the subject under discussion.
 - 5.6.3. Represent the members' interests, solicit input from members, and respond in the best interests of DAM.
 - 5.6.4. Maintain DAM's fiscal resources by anticipating and responding to changes that affect the operating budget.
 - 5.6.5. Accept and complete assignments on schedule and within the scope of the assignments.
- 5.7. Conflicts of Interest. Whenever a board member has a financial or personal interest in any matter coming before the board of directors, that board member shall (a) fully disclose the nature of the interest and (b) withdraw from discussion and voting on the matter. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of board members without conflicts of interest determine that it is in the best interest of DAM to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention, and rationale for approval.
- 5.8. Responsibilities of DAM Members
 - 5.8.1. Pay all DAM and USMS fees and dues in a timely manner.
 - 5.8.2. Behave in an appropriate manner at all workouts as directed by the coach, assistant coach or lifeguard.

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- 5.8.3. Adhere to all safety requirements, whether permanent requirements or requirements resulting from current, temporary conditions.
- 5.8.3.1. Weather conditions may influence the safety of any given workout. For example, lightning or thunder during or before a workout require everyone to exit the pool for 30 minutes. Additional lightning strikes restart the 30-minute pool evacuation. This requirement is dictated by the American Red Cross and Yolo County.
 - 5.8.3.2. During fire season or in any other situation in which the air quality is deemed unhealthy, workouts will be cancelled when the AQI (Air Quality Index) exceeds 150 ppm. The AQI is measured by the Sacramento Metropolitan Air Quality Management District and broadcast through a Spare the Air alert. In addition, City of Davis officials can mandate that air quality is unhealthy and require cancellation of outdoor activities that occur on city property or at city facilities.
 - 5.8.3.3. Swimmers arriving at a workout after the first set has begun must announce their arrival and intent to swim to the other swimmers currently in the lane. To do this, the swimmer stands in the water to the left corner of the lane until all the swimmers have passed by once and presumably noticed the presence of an additional swimmer.
 - 5.8.3.4. To assure the safety of all swimmers in a lane, the maximum number of swimmers per lane is 5. The coach may authorize more than 5 swimmers, dependent on circumstances. Swimmers are not allowed to switch lanes after a workout has begun without notifying and receiving approval from the coach.
 - 5.8.3.5. To assure the safety of all swimmers, two certified lifeguards must be present at all workouts and lap swims. In the event that two lifeguards are not present, the workout/lap swim will be cancelled. This is a City of Davis requirement.
 - 5.8.3.6. In the event that a minimum number of swimmers are not in attendance at a workout, the workout will be cancelled. The minimum number of required swimmers at any coached workout is eight (8).
 - 5.8.3.7. The public is not allowed in the Brady Building while a meeting is in progress. Confirm that a meeting is not in progress before entering the building.
 - 5.8.3.8. Swim equipment (fins, kick boards, buoys, hand paddles) are frequently used during a workout. The swimmer is responsible for using all equipment in a manner that is safe for him/herself and other swimmers present. Due to safety concerns and the cooperative nature of sharing lanes, using headphones during a workout is not allowed.
 - 5.8.3.9. Unattended children at DAM activities.
Unattended children under the age of 16 are NOT ALLOWED inside the gate at any Davis Aquatic Masters workouts, events, or any other functions. This policy includes the Brady Building, the locker rooms, and any area inside the gate of any pool facility in use by Davis Aquatic Masters including but not limited to Civic Center Pool, Manor Pool, Community Pool, Arroyo Pool, and Schaal Pool.

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Children under the age of 16 must be accompanied by and supervised by an adult at all times. The adult must be physically with the child, and supervising them, and not participating in a swim session or in the locker room. This policy includes all DAM swim workout and lap swim sessions.

This policy applies to any pool in use by Davis Aquatic Masters.

- 5.8.4. Any member may request that the Board of Directors consider suspension or expulsion of another member whom they believe has engaged in conduct that is inconsistent with the mission of DAM or the best interest of the sport and those who participate in it. The member making the request shall submit a signed, written description of evidence to the Board of Directors. On receipt of the request, the Board of Directors shall provide written notification of the complaint, including the description of evidence, to the member in question. The Board also shall provide written information to the member in question of their right to respond in writing and appear before the Board to discuss the complaint. If the member does not respond within 30 days of receiving notification of the complaint, the Board may take action to remedy the situation. In no event shall any such complaint before the Board remain unresolved for more than 90 days.

5.8.5. Expectations of swimmers

5.8.5.1. Swimmers are asked to sign in at the podium prior to beginning a workout.

5.8.5.2. Swimmers are asked to return all equipment to the proper bins, baskets or barrels.

5.8.5.3. Swimmers are welcome to invite other swimmers to DAM workouts. Swimmers must inform non-members that DAM offers a 2-week trial, during which time the non-member can attend 3 workouts. The non-member must complete and provide the DAM Guest Membership application, available at the DAM website (www.damfast.org). One-time, free swims are not allowed.

5.8.5.4. Swimmers are asked to communicate and agree on a lane leader for the workout. The lane leader can switch off to other swimmers during the workout. The leader is asked to communicate with other swimmers in the lane regarding intervals, repeats, and any possible adjustments to the set.

5.8.5.5. All swimmers must be able to swim 100 yards without stopping.

5.8.6. Member procedures

5.8.6.1. At the first workout of the day, and the last workout of the day, swimmers are asked to help with the removal and replacement of the pool covers. The City of Davis requires that 3 people are available to help with pool removal/replacement.

5.8.6.2. Members are asked to stay informed about the general business of DAM. Weekly updates are available in the newsletter, which is emailed to all DAM members. Other timely information is made available on the DAM website

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and also the DAM Facebook page. Members are asked to use these resources to stay current on issues that may impact them. For example, the availability of space at any given workout is available on the website. It is important for swimmers to know that a workout may be closed to new attendees due to heavy attendance.

- 5.8.6.3. Members are asked to notify the City of Davis of the need to repair or replace any city property or facilities that are in disrepair. The City of Davis website provides a problem reporting function on the home page (www.cityofdavis.org).
- 5.8.6.4. A Lost and Found locker is located in each of the locker rooms. The night time custodian uses the locker to store items left behind in the locker rooms.
- 5.8.6.5. Swimmers are asked not to bring valuables to a workout unless they are prepared to lock them in a locker. Coaches are not responsible for swimmers' belongings.

6. Management Plan

- 6.1. Objective. The board may institute a formal management plan if such a plan is consistent with the management style and time constraints of the existing board of directors. The management plan enables DAM to achieve its short-term and long-term goals and objectives in a harmonious, effective, and efficient manner.
- 6.2. Components
 - 6.2.1. Personnel. The board member in charge of personnel has primary responsibility for personnel evaluations and contracts of the financial director, head coach, assistant coach, substitute coaches, and lifeguards.
 - 6.2.2. Fundraising. The board member(s) in charge of fundraising has primary responsibility for direct appeals, fundraising events, grants, merchandise sales, sponsorships, and other activities to meet short-term and long-term budget objectives for each revenue source. The board member in charge of fundraising oversees the fundraising aspects of events, such as swim meets or races, in collaboration with the meet or race directors.
 - 6.2.3. Liaison. The board member in charge of liaisons has primary responsibility for interfacing with the City of Davis and other groups or organizations that interact with DAM. This person attends all Aquatics Council meetings and attends Davis City Council meetings as needed.
 - 6.2.4. Social. The board member in charge of social events has primary responsibility for social events such as parties, picnics, and the annual meeting.
 - 6.2.5. Membership. The board member in charge of membership has primary responsibility for recruiting new members, retaining members, and recruiting volunteers as needed.
 - 6.2.6. Communications. The board member in charge of communications has primary responsibility for the weekly email; creating and maintaining relationships with media contacts, advertisers, and sponsors; and website maintenance. This person also serves as DAM historian.

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6.2.7. Berryessa Director. Appointed by the board, this person organizes the annual Lake Berryessa open water swim in accordance with the budget and objectives identified by the board. The Berryessa director typically reports to the board each month. This position may require a contract with DAM; the contract must be approved by the board.

6.2.8. Brute Squad Director. Appointed by the board, this person organizes the annual Brute Squad event in accordance with the budget and objectives identified by the board. The Brute Squad director reports to the board from August through February. This position may require a contract with DAM; the contract must be approved by the board.

6.3. Management Groups

6.3.1. Objective. To encourage the participation of DAM members in DAM's management and decision making.

6.3.2. Composition. Each management charge may be met by a management group (team) that includes, but is not limited to, a board member who serves as the chair, the head coach or designee, and at least one DAM member who is not a member of the board.

6.3.2.1. The president may serve as a non-voting member of management groups.

6.3.2.2. The treasurer shall serve as a member of the personnel group.

6.3.2.3. The secretary shall serve as a member of the communications management group.

6.3.3. Charges of Management Groups

6.3.3.1. Meet general responsibilities delegated by the board as defined in the management plan.

6.3.3.2. If applicable, fulfill additional responsibilities assigned by the board or president.

6.3.3.3. If applicable, initiate activities consistent with group responsibilities.

6.3.3.4. Report regularly on progress according to a schedule established by the board.

6.3.3.5. As needed, recruit DAM members to assist in carrying out group responsibilities.

6.4. Review and Evaluation. The board shall review, evaluate, and revise the management plan annually.

7. Business and Finance

7.1. Budget

7.1.1. The treasurer and finance director shall prepare an annual recommended budget on the basis of input from board members, coaches, and other relevant sources.

7.1.2. The annual budget shall include reserve funds equal to no less than six months of operating expenses.

7.1.3. The annual budget must be approved by a majority vote of the board and appropriate details conveyed to DAM members.

7.1.4. A member of DAM may, at any time, request and receive financial reports.

7.2. Dues and Fees

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- 7.2.1. The board of directors establishes monthly membership dues and pool fees on the basis of criteria such as the annual budget of DAM and the availability and cost of pools.
- 7.2.2. All dues and pool fees are payable by the first of each month via direct payment. Payment of dues via check or cash, whether monthly or at a different interval, is at the discretion of the financial director.
- 7.2.3. Dues and pool fees customarily are waived for the head coach, assistant head coach, assistant coaches who work an average of ten or more hours per week, financial director, registrar, webmaster, DAM lifeguard instructor, DAM second lifeguard coordinator, members who are active-duty members of the US military, and past head coaches and assistant head coaches. These and other waivers ultimately are at the discretion of the head coach and board.

7.3. Major Equipment Purchases. Equipment purchases over \$1000 are made through DAM's sponsor (currently Finis). If Finis is not able to provide the requested equipment other suppliers will be contacted regarding price and availability. When possible, two vendors will be contacted if DAM's sponsor cannot provide the equipment. This requirement is waived when only one vendor can be identified. The board of directors shall approve the purchase in advance.

7.4. Non-Budgeted Expenses. The head coach may present to the board for its consideration a detailed request for anticipated expenses beyond those budgeted.

8. Pool Capacity. The maximum number of swimmers that may participate in a given workout is based on the number of available lanes and the coach's judgment.

9. Workout and Lap Swimming Schedule

9.1. Workout Schedule. From Monday through Friday and on Saturday morning there are multiple workouts at times determined by the head coach. Lightly attended workouts from November through March may be cancelled at the discretion of the head coach and board.

9.2. Lap Swimming. An open lap swim, without a coach but overseen by a lifeguard, is available to members and others registered with USMS on a first come, first served basis from 10:00 A.M. to 1:00 P.M. on Saturday and Sunday.

10. Senior Program.

10.1. Senior members of DAM (65 years of age or older) shall have the highest priority to participate in four reserved lanes at the 10:00 A.M. regularly scheduled weekday practice (note: does not apply to holiday workout schedules). The remaining swimmers at 10:00 A.M. shall be accommodated on a space-available basis in the other four lanes.

10.2. All swimmers, including seniors, must be capable of swimming 100 yards without stopping.

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11. Swim Events

- 11.1. The cost of swim events or competitions other than those sponsored by DAM shall be the responsibility of the participating members.
- 11.2. DAM-sponsored competitions or events shall be organized or identified by the head coach with the board's approval. Fees may be charged to DAM members for DAM-sponsored competitions or events to cover any or all associated costs.
- 11.3. The board may approve expenditures for the following:
 - 11.3.1. DAM team relay fees and team swim caps.
 - 11.3.2. Compensation to assistant or substitute coaches who accompany the head coach to an event.
 - 11.3.3. Any other expenses, costs, or fees relating to swim events.

12. Personnel

- 12.1. Nondiscrimination. DAM recruits and employs individuals without regard for age, gender or gender expression, race, color, national origin, religion, military obligations, marital status, or sexual orientation.
- 12.2. DAM Personnel Policy. DAM is committed to fair, clearly stated, and supportive relationships between the organization and its staff. The personnel policy is intended to ensure consistency of personnel decisions, facilitate or change job conduct, improve the future performance of employees, and guide disciplinary action, including involuntary termination of employment. The guidelines apply to the head coach, assistant coach, financial director, and Berryessa director.
- 12.3. Performance Expectations
 - 12.3.1. A job description is established by the board for all paid employees (see appendices A, D, E, F, and G).
 - 12.3.2. Contracts are established by the board for the head coach, assistant coach, and financial director. The terms of contracts are one to two years.
- 12.4. Performance Evaluations. The performance of all paid employees shall be evaluated annually. The evaluation of the head coach and financial director shall be conducted by the board (or by a subcommittee of the board). All other employees shall be evaluated jointly by the board (or subcommittee of the board) and the head coach. The results of all employee evaluations shall be reported to the board with recommendations for any changes to contracts.
- 12.5. Head Coach Evaluation
 - 12.5.1. Policies. Evaluation of the head coach shall be based on a rating of job elements contained in the job description or employee contract. Observed behaviors shall be used rather than subjective personal attributes, such as attitude. Personal attributes may be included in the evaluation when their relevance to the job has been established.
 - 12.5.2. Procedures
 - 12.5.2.1. The chair of the personnel management group and personnel committee, if formed, shall be responsible for overseeing the evaluation process and ensuring that all procedures are completed. In the absence of a formal personnel committee, the president shall assume these responsibilities.
 - 12.5.2.2. The chair of the personnel committee or president may ask the head coach to provide a written evaluation of his or her activities, contributions, and

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effectiveness for all items included in his or her contract. The evaluation may include news clippings and other forms of public information.

- 12.5.2.3. The board shall meet in executive session to discuss the evaluation. If applicable, the head coach shall be given the opportunity to review evaluation materials and to prepare a response.
- 12.5.2.4. The board or a subset of the board shall meet with the head coach to discuss the evaluation and, if applicable, to sign the evaluation materials.
- 12.5.2.5. If there are areas in which improvement is needed, the board shall work with the head coach to achieve satisfactory performance. A written statement by the board shall be prepared outlining desired changes along with a reasonable timeline to achieve improvement. Only after reasonable and honest attempts have been made to help the head coach achieve satisfactory performance will the board consider not renewing the head coach's contract.
- 12.5.2.6. All supporting documents used in the evaluation shall be retained in the personnel file.

12.6. Merit Raises

12.6.1. Policy. The board may reward paid employees with a merit raise that is based on superior job performance or in satisfaction of basic commitments in the employee contract or agreement, including duration of service. This raise is in addition to any cost of living raise. An evaluation shall be conducted annually or biennially, if appropriate.

12.6.2. Process. Decisions on a merit raise shall be made as part of the employee's annual or biennial evaluation. This evaluation shall be conducted by the board for head coach and the financial director. All other employees shall be evaluated jointly by the board and the head coach.

12.6.3. Evaluation Criteria

- 12.6.3.1. Work habits
- 12.6.3.2. Personal interaction with DAM members and others involved with DAM
- 12.6.3.3. Adaptability
- 12.6.3.4. Administrative duties (if applicable)
- 12.6.3.5. Coaching responsibilities (if applicable)
- 12.6.3.6. Supervision (if applicable)
- 12.6.3.7. Regional and national recognition (if applicable)
- 12.6.3.8. Participation in regional and national swimming organizations (if applicable)

12.7. Benefits. DAM offers a Simple IRA to full-time employees after one year of service. Employee contributions are made through the payroll process. DAM makes monthly contributions to the account and recovers those monthly contributions through payroll deductions. In December of each year, DAM matches the employee contributions up to 3% of salary.

12.8. Rotation of Coaches. The head coach is responsible for developing a practical rotation system to ensure that all workouts are coached, and that the head coach coaches each of the nine daily practices at least twice per week.

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13. Retention of Records

- 13.1. DAM's corporate records include essentially all paper or electronic records produced by employees or board members. Records include but are not limited to memoranda, emails, contracts, case studies, electronic calendars, and expense records.
- 13.2. If a DAM employee believes, or DAM informs an employee, that DAM records are relevant to litigation or potential litigation (i.e., a dispute that could result in litigation), then that employee must preserve those records until the board determines that the records no longer are needed. The retention policy in this situation supersedes any previously or subsequently established destruction schedule for those records.
- 13.3. Tax Records. Tax records include, but may not be limited to, documents concerning payroll expenses, proofs of deductions, business costs, accounting procedures, and other documents concerning DAM's revenues. Retain tax records for a minimum of six years from the date that the applicable return was filed.
- 13.4. Employment and Personnel Records. Retain personnel files that reflect performance reviews and any complaints brought against DAM or individual employees of DAM under applicable state or federal statutes. Retain all final memoranda and correspondence reflecting performance reviews and actions taken by or against personnel in the employee's personnel file. Retain employment and personnel records for six years.
- 13.5. Board and Board Committee Materials. Retain minutes of board meetings in perpetuity.
- 13.6. Keep a clean copy of all board and board committee materials for a minimum of three years.
- 13.7. Press Releases and Public Filings. Retain copies of all press releases and publicly filed documents in perpetuity.
- 13.8. Legal Files. In most cases, retain legal documents for ten years. Consult legal counsel to determine the retention period for particular documents.
- 13.9. Marketing and Sales Documents. Retain final copies of marketing and sales documents for a minimum of three years.
- 13.10. Development of Intellectual Property and Trade Secrets. Documents detailing the development process are protected as a trade secret in cases in which DAM derives independent economic value from the secrecy of the information and has taken affirmative steps to keep the information confidential. Retain all documents designated as containing trade secret information for, at minimum, the life of the trade secret.
- 13.11. Contracts. Retain final executed copies of all contracts entered into by DAM for a minimum of three years beyond the life of the contract, and longer in the case of publicly filed contracts.
- 13.12. Electronic Mail. Electronic mail that needs to be retained should either be printed, and then retained in the appropriate file, or downloaded to a computer and maintained electronically or on a flash drive as a separate file. The retention period depends upon the subject matter of the email.

14. Elections

- 14.1. Elections of board members are dictated in the bylaws. At the discretion of the board, three DAM members shall be appointed to serve as an election committee to oversee the election process.
- 14.2. Duties of the Election Committee

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- 14.2.1. At least eight weeks before the election, encourage members to run for the board. Proposed bylaw changes also must be submitted at this time.
- 14.2.2. Receive nominations of candidates and candidates' statements of interest, and compile proposed bylaw changes for review by the board.
- 14.2.3. Provide candidates' statements and arguments for and against the proposed bylaw changes by email at least 15 days before the election.
- 14.2.4. Recruit volunteers to staff the voting tables at the annual meeting, or use an alternative method.
- 14.2.5. Obtain list of members from the registrar and prepare an appropriate number of ballots.
- 14.2.6. Conduct voting poolside, electronically, or at the annual meeting. Count the ballots. The counting process may be observed by members.
- 14.2.7. Determine the eligibility of voters.
- 14.3. Campaigning shall be permitted provided it is not conducted near the voting area on the day of the election. No campaigning is allowed at the annual meeting. No poster or newsletter item shall be allowed that criticizes other DAM members by name or by implication.
- 14.4. The election results shall be announced at the annual meeting and in the next weekly email. The number of votes received by each candidate shall not be announced or posted, but shall be made available to any member upon request.

15. Communications

- 15.1. Communications typically are managed by a board member, although responsibilities may be delegated to others.
- 15.2. Email List. DAM maintains a list of email addresses of all active members. DAM also maintains the ability to send emails to all members easily.
- 15.3. Privacy. Personal contact information for members, including email addresses, telephone numbers, and addresses, shall be kept private if requested by the member at any time.
- 15.4. Website. DAM maintains a public website with the domain name damfast.org.
 - 15.4.1. The domain name registration should be maintained with the appropriate registrar.
 - 15.4.2. A webmaster should be selected by the communications director. The webmaster will maintain the damfast.org website, making changes and adding new content at the direction of the communications director and the board. Service as webmaster should be acknowledged with a dues waiver.
- 15.5. Weekly Email. A weekly email should be sent to all members. This email may include DAM news and updates and information on community events and issues of interest to DAM members. The email should not include solicitations from outside groups or businesses, personal messages or appeals, and so forth.
 - 15.5.1. Where possible, the email should provide direct links to the DAM website, where more information may be published.
 - 15.5.2. Content should be solicited from the head coach and board members.
- 15.6. History of DAM

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- 15.6.1. The history of DAM includes service on the coaching staff, boards of directors, and Berryessa directors; number of members; competition results; and social events.
- 15.6.2. The history shall be updated annually and made available to board members and other DAM members.

16. Awards

- 16.1. Lillian Rowan Memorial Award. The recipient of the Lillian Rowan Memorial Award is selected annually by a committee that is chaired by the head coach and two DAM members ages 65 or older (see Appendix H).
- 16.2. Lucille Barry Memorial Award. The recipient of the Lucille Barry Memorial award is selected annually by a committee that is chaired by the head coach and includes two other DAM members.
- 16.3. Steve Carlson Memorial Award. The recipient of the Steve Carlson Memorial award is selected annually by a committee that is chaired by the head coach and includes two other DAM members.

17. Equipment and Supplies

- 17.1. Equipment
 - 17.1.1. DAM shall purchase its own equipment (e.g., pull buoys, kickboards, fins, paddles) or shall cooperatively purchase equipment (e.g., lane lines), typically through the Aquatics Council.
 - 17.1.2. All purchased equipment shall be inventoried annually by a volunteer or the board. Any equipment with a value of more than \$200 shall be registered with the financial director.
- 17.2. Resale of Supplies
 - 17.2.1. Any clothing, swim suits, swim caps, fins, or similar items purchased by DAM shall be sold to members and the public for team or event recognition or fundraising purposes at the discretion of the board. Price lists shall be posted and all money received shall be given to the financial director.
 - 17.2.2. On-deck sales shall be encouraged with approval from the board if resale supply inventories rise to significant levels. Outside commercial swim gear vendors may be allowed to sell on deck with approval from the board.

18. Cosponsored Events and DAM Fundraising

- 18.1. DAM may cosponsor events with other agencies or groups with prior approval by the board. All conditions, expectations, financial responsibilities, and risks shall be explored fully and mutually agreed on in writing by the parties involved.
- 18.2. DAM must recover all direct costs associated with co-sponsorship and share in a percentage of the profits or losses generated. The percentage will be set or negotiated by the board on the basis of event size, event fees, and volunteer participation by DAM members.
- 18.3. DAM may enter into fundraisers with other agencies or groups provided the financial conditions described in 16.2 are met.
- 18.4. Gifts. Members and other interested people are encouraged to donate to DAM. Donations may include money, property, equipment, services, and anything else

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consistent with DAM's purpose. Because DAM is a 501(c)(3) organization, gifts may be tax deductible, but DAM nonetheless encourages donors to obtain the advice of an independent legal counsel or tax professional with respect to any tax-related questions. Final decisions on the acceptance or refusal of a gift shall be made by the board.

- 18.4.1. DAM accepts restricted gifts. Where appropriate, DAM will enter into a written gift agreement with the donor that specifies the terms of any restricted gift. The terms may include provisions regarding donor recognition.
- 18.4.2. DAM accepts pledges of future support, including matching gift commitments, contingent upon the execution and fulfillment of a written charitable pledge agreement that specifies the terms of the pledge. The terms may include provisions regarding donor recognition.
- 18.4.3. DAM shall record the value of gifts received on the date of gift, except that when a gift is irrevocable and is not due until a future date, the gift may be recorded at the time the gift becomes irrevocable in accordance with generally accepted accounting principles.
- 18.4.4. DAM shall not accept a gift unless the donor is responsible for (1) the fees of independent legal counsel retained by donor for completing the gift, (2) appraisal fees, (3) environmental audits and title binders (in the case of real property), and (4) all other third-party fees associated with the transfer of the gift to DAM.
- 18.4.5. DAM shall not accept gifts that could violate the terms of its organizational documents, jeopardize its status as an exempt organization under state or federal law, prove too difficult to administer, not further DAM's purposes, create a conflict of interest, or damage its reputation.
- 18.4.6. For non-cash gifts, to avoid any conflicts or potential conflicts of interest, DAM encourages prospective donors to seek the assistance of their own legal and financial advisors in matters relating to their gifts and the resulting tax and estate planning consequences.
- 18.4.7. To the extent applicable, DAM shall file IRS Form 8282 upon the sale or disposition of any charitable deduction property sold within three years of receipt by DAM. "Charitable deduction property" means any donated property (other than money and publicly traded securities) if the value claimed by the donor exceeds \$5,000 per item or group of similar items donated by the donor to one or more organizations (e.g., the property listed in Section B on Form 8283). DAM shall file this form within 125 days of the date of sale or disposition of the asset
- 18.4.8. DAM shall provide written acknowledgement of all gifts it receives and comply with current Internal Revenue Service requirements for acknowledging gifts.

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Appendix A – Financial Director’s Performance Duties

A. Accounting

- Maintain the computer files needed to accomplish performance duties.
- Receive and safely keep all DAM funds and deposit the funds in one or more financial institutions.
- Pay all bills of DAM on checks of DAM signed by either the financial director or a designated board member. Check with the board regarding items of expense not explicitly or implicitly authorized by the board.
- Pay and keep track of all payroll. This includes initial filing of proper IRS forms, proper deductions from each paycheck, keeping records necessary for the quarter and year, and keeping track of sick leave and vacation where appropriate.
- Reconcile bank statements and all accounts monthly.

B. Personnel and Financial

- Prepare monthly financial reports for distribution and presentation to the board and, if requested, to the membership.
- Complete all forms and calculations for worker’s compensation. Keep track of payments due for employees’ health insurance and long term insurance.
- Keep records to file all necessary government forms including but not limited to federal and state quarterly reports, yearly Federal Unemployment Tax Act statement, W-2 and W-3 forms, federal and state income tax forms, county property tax form, and state sales tax.
- Communicate with government offices regarding DAM’s tax status, tax payments, or any other matters.
- Maintain financial records for the Aquatics Council in accordance with the agreement between DAM and the Aquatics Council.
- Arrange for an audit, review, or compilation of DAM books as requested by the board or as recommended by a certified public accountant.

C. Other Duties

- Maintain the email account for DAM, answer questions regarding finances, and, where necessary, direct email messages to the coach, registrar, or board member.
 - Attend DAM board meetings and give a current financial report and enrollment information as requested. Be a resource person for any board member regarding the financial aspects of DAM.
- Pick up the mail at the post office and from the box at Civic Center Pool. Process as appropriate.
- Work with the events committee to track finances and, when asked, provide a list of current income and expenses.
- Purchase and be reimbursed for supplies necessary for the financial director’s office.
- Hire and supervise assistants as approved by action of the board.
- Additional duties by mutual agreement with the board.

D. Timeline for the financial director's duties

Daily to several times monthly

- Collect mail (about twice weekly) at post office box and Civic Center Pool.
- Record checks, write necessary emails, distribute mail to coaches and others.
- Deposit checks (typically once every week or two).
- Write checks as bills come in, typically two or three times per month.
- Read and answer email.

Monthly

- Process payroll.
- Process health insurance contributions.
- Process SIMPLE IRA contributions.
- Reconcile bank accounts.
- Attend board meetings and report monthly to the board on the financial standing of DAM.
- Back up computer records and store in secure, safe location.

Quarterly

- File state Sales and Use Taxes.

Yearly

- Close books for the year.
- Work with CPA to file federal income tax returns (990 and 990T).
- Work with CPA to file state income tax returns (109 and 199).
- File Charitable Trusts return.
- Prepare year-end financial report for DAM board and membership.
- Prepare budget for upcoming year and present to the board of directors for approval.
- Attend annual meeting; report on finances if requested.

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Appendix B – Registrar’s Duties

- Enroll new DAM members.
- Verify that DAM members are members of USMS at the time they join DAM and annually thereafter.
- Send out welcome information.
- Provide coaches with lists that they may find useful in classifying swimmers.
- Keep a current record of swimmers’ membership status.
- Maintain membership data: names, addresses, telephone numbers, birth dates, and emergency contact information.
- Answer questions regarding membership.
- Where necessary, direct calls or email messages to the coach, financial director, or the appropriate board member.
- Provide a current membership report as requested. Be a resource person for any board member regarding the membership aspects of DAM.
- Additional duties by mutual agreement with the financial director or board.

Appendix C – Workout Duties

All coaches and lifeguards must be aware of and trained in emergency procedures. Training requires current certification in Lifeguard Training, First Aid, CPR and AED standards, and for coaches and assistant coaches the Red Cross Title 22 class which covers First Aid for the Professional.

The following may be necessary when coaching a workout.

Before Workout

1. Arrive approximately 10 minutes before workout starts.
2. Unlock gate and locker rooms.
3. Turn on lights.
4. Supervise removal of the pool covers.
5. Supervise insertion of the lane lines.
6. Provide access to any equipment needed for the workout.

During Workout

1. As necessary, ask members to swim with people of the same ability.
2. Assign lane speeds.
3. Make DAM announcements at an appropriate time during the workout.
4. Log attendance and water temperature.

After Workout

1. Supervise removal of lane lines.
2. Supervise covering of the pool.
3. Following the last workout of the day, ensure equipment is put away and the deck is relatively clean.
4. Turn off lights.
5. Lock gate and locker rooms if so directed by the City.

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Appendix D – Head Coach Job Description

Goal. To develop, strengthen, and execute a fitness-oriented and competitive masters swimming program.

Requirements

- USMS member.
- Reasonable writing skills.
- Current certification in Lifeguard Training, First Aid, CPR and AED standards, and the Red Cross Title 22 class which covers First Aid for the Professional.
- DAM's budget includes funds for re-certifications.

Preferred Experience

- ASCA Advanced Certified Masters Coach or Level 3 age group, high school, or college coach with at least one year of masters coaching experience.
- Bachelor's degree.
- Experience preparing workout plans and supervising part-time staff.

Duties

- Make all coaching decisions. The head coach has the authority to suspend temporarily any swimmer or assistant coach for inappropriate conduct. In the event of a suspension, within 48 hours the head coach shall submit to the DAM board written justification for the action. Permanent dismissal of a swimmer or assistant coach shall be subject to prior approval in writing by the DAM board and to procedures described in this document.
- Review and approve weekly timesheets for assistant and substitute coaches and lifeguards.
- Provide coaching services such as stroke instruction, assistance in setting individuals' goals, assessment of individuals' progress toward these goals, and positive motivation toward achieving these goals.
- Design varied workouts consistent with DAM's objectives. Develop special workouts as necessary for senior citizens.
- Accompany DAM members who are competing in short course, long course, and open water swims and other competitive events when the level of team representation warrants the attendance of the head coach.
- Attend regularly scheduled DAM board meetings, Davis Aquatic Council meetings, and Pacific Masters Swimming board meetings as appropriate.
- Select, mentor, and directly supervise assistant and substitute coaches employed by DAM.
- Provide the webmaster with monthly briefs on meet results and upcoming events.
- Be aware of emergency procedures.
- Maintain satisfactory relationships between DAM and the City of Davis, other Davis-based aquatic groups, the Davis community, PMS, and USMS.
- Support and implement the formally adopted directives, policies, and procedures of the DAM board.
- Notify the president or the president's designee before taking vacation.

Appendix E – Assistant Coach Job Description

Requirements

- USMS member.
- Current certification in Lifeguard Training, First Aid, CPR and AED standards, and the Red Cross Title 22 class which covers First Aid for the Professional.
- DAM's budget includes limited funds for re-certifications.

Preferred Experience

- ASCA Masters Certified Coach or one year masters coaching experience.
- Knowledge of swim stroke mechanics and the ability to demonstrate, explain, and correct swimming technique.
 - Former competitive swimmer
- Former or current member of DAM.

Duties. Under the direction of the head coach, the assistant coach shall

- Coach additional workouts when the head coach is on vacation, out of town on business, or ill.
- Attend competitive swim events when warranted by the level of team representation (usually \geq 25 members).
- Report problems with facilities or need for equipment to head coach.
- Provide coaching services, including stroke instruction, and positive motivation for swimmers to achieve their individual swimming goals.
- Accomplish miscellaneous tasks assigned by the head coach.
- Attend coaching meetings when requested.
- Maintain satisfactory relationships between DAM and the City of Davis, other Davis-based aquatic groups, the Davis community, and USMS.

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Appendix F – Substitute Coach Job Description

Requirements

- USMS member.
- Current certification in Lifeguard Training, First Aid, CPR and AED standards, and the Red Cross Title 22 class which covers First Aid for the Professional.
- The DAM budget includes limited funds for re-certification of coaches and lifeguards.

Preferred Experience

- ASCA Masters Certified Coach or one year masters coaching experience.
- Knowledge of swim stroke mechanics and the ability to demonstrate, explain, and correct swimming technique.
- Former competitive swimmer.
- Former or current member of DAM.

Compensation. Compensation is determined on the basis of experience, job performance, and seniority. To insure prompt payment, take the following steps.

- Fill out income tax information and immigration form (once only) and return to the financial director.
- The workout attendance sheets specify the name of the substitute coach conducting the workout. This in turn serves as documentation for payment to the substitute coach. The head coach and the financial director review the workout sheets to determine payment to the substitute coach.

Duties. Under the direction of the head coach, the substitute coach shall

- Provide coaching services, including stroke instruction, and positive motivation for swimmers to achieve their individual swimming goals.
- If needed, attend swim meets, open water events, and other DAM related events when warranted by the level of team representation (usually $\geq 25+$ members).
- Report problems with facilities or need for equipment to head coach.
- Attend monthly coaching meetings.
- Maintain satisfactory relationships between DAM and the City of Davis, other Davis-based aquatic groups, the Davis community, and USMS.

Appendix G – Lifeguard Job Description (Lap Swim)

Requirements

- Current certification in Lifeguard Training, First Aid, CPR and AED standards.
- The DAM budget includes limited funds for re-certification of coaches and lifeguards.

Compensation is determined on the basis of experience, job performance, and seniority.

- To insure prompt payment, fill out income tax information and immigration form (one time only) and return to the financial director. This must be done before any payment will be made.
- The lifeguard(s) on duty during lap swims is required to fill out the back of the sign-in sheet noting the hours worked.

Duties

- Keep attendance during lap swims. The lap swim attendance records are stored near the coaches' workout attendance records. Fill out the top part of the attendance sheet and ensure that swimmers sign in as they enter the pool area.
- During lap swim, ensure that guests of members pay a drop-in fee and are registered with USMS.
- During lap swim, ensure payment by pay-per-swim members.
- After lap swim, sign the attendance sheet, note the number of hours worked and your address, and put the sheet in the drop box.

Additional Duties of the Head Lifeguard

- Schedule lifeguards for all lap swims and special occasions or holidays.
- Report problems with the facility to the head coach.

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Appendix H – Lillian Rowan Memorial Award

Purpose. To present an annual award in memory of Lillian Rowan, a long-time member of DAM who passed away in 1992 at the age of 84, to a DAM member who has made outstanding contributions to DAM and to the community.

Criteria. The award shall be given to a DAM member 55 years of age or older on the basis of his or her contributions in one or more of the following areas, which Lillian exemplified.

1. Motivation for oneself and others through example and philosophy, providing inspiration and wisdom with regard to swimming and to life, and helping others in ways that give both parties pleasure in that help.
2. Dedication to a healthy and fit lifestyle and to service to and improvement in DAM.
3. Achievement: in setting goals and achievement in swimming on the basis of one's abilities, and maintaining a swimming program in spite of physical obstacles.
4. Other contributions to individuals and the community.

Evaluation and ranking shall be in the order above.

Process

1. The award shall be announced in September and October and brought to the attention of the membership in other appropriate ways.
2. Nominations shall be made in writing by any DAM member in advance of a deadline established by the board.
3. The president shall appoint at the September board meeting a selection committee of three members, including a board member who serves as chair, a member age 65 or older, and a coach. Members of the selection committee may not be nominated.
4. The chair of the selection committee shall prepare an announcement to the membership that calls attention to the award and the process, convene the committee, prepare a ranking on the basis of the criteria and input from the committee members that is objective, and submit a written report to the president at least one-week before the annual meeting.
5. The award shall be presented at the annual meeting.

The award shall consist of an engraving on a perpetual DAM plaque and a certificate. The award shall be funded by contributions by DAM members and others, and by action of the board.

Appendix I – Board of Directors Monthly Task Schedule

Monthly

The board of directors meets monthly. As appropriate, the communications chair will coordinate preparation of the weekly email, including notice of the upcoming board meeting and a summary of major board decisions and actions.

December

- A. Board meeting
 - 1. Welcome new board members.
 - 2. Select president and vice president.
 - 3. Outgoing board members transfer binders to new directors.
 - 4. Provide copies of current policies and procedures and bylaws to new board members.
 - 5. Review preliminary budget.
 - 6. Approve schedule of events for next year.
 - 7. Receive report from Brute Squad director.
- B. President
 - 1. Work with treasurer to prepare a summary of the annual financial statement and proposed budget for presentation and discussion at annual meeting.
 - 2. Organize board and assign management responsibilities.
 - 3. Direct new board members to review the policies and procedures, especially the monthly timeline.
 - 4. Review all personnel contracts. If contracts are not executed on a calendar year basis, the timing of this responsibility may shift to another month (e.g., June or July).
- C. Personnel
 - 1. If applicable, orient new director so there is a smooth transition of duties.
 - 2. Ensure that contracts are signed. If contracts are not executed on a calendar year basis, the timing of this responsibility may shift to another month (e.g., June or July).
 - 3. Work with president and employees to resolve any problems with contracts.
- D. Fundraising
 - 1. If applicable, orient the new director so there is a smooth transition.
 - 2. Review ongoing activities and events.
 - 3. Identify schedule of fundraising activities for the following year.
- E. Liaison
 - 1. If applicable, orient the new director so there is a smooth transition.
 - 2. Identify any ongoing issues or problems with the City of Davis and other aquatic groups.
 - 3. Identify calendar of Aquatics Council meetings.
- F. Social
 - 1. Organize DAM holiday party.
 - 2. If applicable, orient the new director so there is a smooth transition.

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G. Membership and volunteers

1. If applicable, orient the new director so there is a smooth transition.
2. Designate volunteer to conduct clothing and equipment inventory for treasurer by the end of January.
3. As necessary, work with the Brute Squad director to recruit volunteers.

H. Communications

1. If applicable, arrange to meet with new director for orientation.
2. Confirm duties of webmaster and other content contributors.

I. Brute Squad director

1. Present update to the board.
2. As needed, work with the membership and volunteer chair to recruit additional volunteers.

January

A. Board meeting: approve annual budget.

B. President: if applicable, prepare management plan to meet the objectives identified in the annual budget.

C. Personnel: if desired, appoint personnel committee.

D. Fundraising: review fundraising goals as identified in the approved annual budget and develop a plan of execution.

E. Liaison

1. If new, arrange introductions with community partners (City staff, City Council, Aquatics Council).
2. As applicable, attend City and Aquatics Council meetings.

F. Membership and volunteers

1. Confirm that inventory of merchandise and equipment is completed. Prepare a written summary of the inventory to present during the February board meeting.
2. As necessary, work with the Brute Squad director to recruit volunteers.

G. Communications: review DAM history and prepare update with information on new board members.

H. Brute Squad director: prepare financial summary of the event for the February board meeting.

February

A. Board meeting

1. Discuss annual inventory of merchandise and equipment.
2. Discuss Brute Squad financial report.

B. Communications: update DAM history with input from head coach.

C. Brute Squad director

1. Present financial summary of event to the Board of Directors.
2. Indicate whether willing to serve as Brute Squad director for the next event.

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March

Board meeting: review candidates for director of next Brute Squad event.

April

Berryessa Director: report to the board on status of Berryessa Open Water Swim.

May Berryessa Director: report to the board on progress of Berryessa Open Water Swim.

June

Berryessa Director:

1. Direct race-day event.
2. Report on execution of event at board meeting.
3. Prepare final, written financial and narrative report on the event for the July board meeting.

July

A. Board meeting

1. Discuss reports from current-year Berryessa swim.
2. Discuss candidates to direct next year's Berryessa swim.

B. Berryessa Director: present financial and narrative reports at board meeting.

August

A. Board meeting

1. Executive session for annual personnel review or approval of re-negotiated personnel contracts.
2. Review progress of Brute Squad.

B. Personnel

1. Complete employee evaluations or develop personnel contracts.
2. Amend Berryessa director's contract for the following year.

C. Brute Squad director: report progress of event preparations.

September

A. Board meeting

1. If applicable, welcome new members.
2. Review progress of Brute Squad.

B. President: determine whether new candidates are needed for board positions that are open at the end of the year.

C. Brute Squad director: report on event preparations.

October

A. President: recruit or advertise for candidates to fill board of director seats that open at the end of the year.

B. Social: confirm location of annual meeting.

C. Brute Squad director: report on event preparations.

November

A. Board meeting: identify candidates for open board seats.

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- B. President: solicit statements from candidates and provide to the membership prior to the election.
- C. Social: plan holiday party and annual meeting.
- D. Brute Squad director: report on event's progress.