

**ACBL Board of Directors
San Francisco, CA
November 26 – 29, 2019**

The meeting was called to order by President Russ Jones on Tuesday November 26, 2019, at 8:34 a.m.

Present: Leo Weniger #1, Paul Janicki #2, Carlos Muñoz #3, Joann Glasson #4, Brian Ellis #5, Margot Hennings #6, Mike Kovacich #7, Georgia Heth #8, Jay Whipple #9, Russ Jones #10, AJ Stephani #11, Dennis Carman #12, Suzi Subeck #13, Sharon Anderson #14, Warren Smith #15, Paul Cuneo #16, Bonnie Bagley #17, Claire Jones #18, Julie Smith #19, Merlin Vilhauer #20, Jackie Zayac #21, David Lodge #22, Kevin Lane #23, Al Levy #24 and Bob Bertoni #25

Also Present: Jeff Overby #9 Director Elect, Ned Irving #10 Director Elect, Cindy Shoemaker #17 Director Elect, David Moss #24, Director Elect, Richard Popper, Chairman Board of Governors, Joe Jones, Executive Director, Peyton Dodson, Linda Dunn, Dan Storch, Nancy Boyd, Susie Cordell, Sol Weinstein, David Metcalf, and Kelley Trejo, Secretary.

Approval of Las Vegas, NV Minutes

The Summer 2019 Las Vegas, NV minutes are approved.

Carried unanimously

Item 193-70: Executive Committee Minutes

The minutes of the Executive Committee meeting held July 18 in executive session are received and ratified.

Approval of Non-Agenda Items

Item 193-16/51: Bylaws Reorganization is accepted and assigned to Governance Committee

Carried Nay: 1, 2, 3, 5, 13, 17, 18, 21, 23, 25

Item 193-17 – ACBL Certificate of Incorporation is accepted and assigned to Governance Committee

Carried Nay: 1 Abstain: 5

Item 193-71: Election of ACBL President

Paul Cuneo and Georgia Heth declared their candidacies. There were no other declarations of candidacy. Nominations were closed. Georgia Heth was elected as ACBL President for a one-year term January 1, 2020 through December 31, 2020.

Item 193-73: Certification of Elections

The following individuals are hereby certified as having been duly elected to the Board of Directors of the American Contract Bridge League for three-year terms, January 1, 2020 through December 31, 2022.

Margot Hennings, District 6; Jeff Overby, District 9; Ned Irving, District 10; AJ Stephani, District 11; Dennis Carman, District 12; Cindy Shoemaker, District 17; Laurie Rowe, District 20; David Moss, District 24.

The following individuals are hereby certified as having been duly elected as First Alternates to the Board of Directors of the American Contract Bridge League for three-year terms, January 1, 2020 through December 31, 2022.

Jean LaTraverse, District 1; Jan Assini, District 5; Barbara Heller, District 7; Thomas Dressing, District 13; Len Fettig, District 15; David Johnson, District 18; Tim White, District 19; John Jones, District 23; Carole Weinstein, District 25.

The following individuals are hereby certified as having been duly elected as Second Alternate to the Board of Directors of the American Contract Bridge League for three-year terms, January 1, 2020 through December 31, 2022.

Kathie Macnab, District 1; Dian Petro, District 5; Kevin Wilson, District 7; Stan Subeck, District 13; Henry Robin, District 15; *VACANT, District 18; Jerry Thorpe, District 19; Robert Shore, District 23; Sabrina Miles, District 25.

Carried

Item 193-74: Aileen Osofsky ACBL Goodwill Member of the Year

William Stine, District 22, was appointed as the 2020 Aileen Osofsky ACBL Goodwill Member of the Year.

Carried

Item 193-75: ACBL Honorary Member of the Year

Rebecca Rogers, District 17, was appointed as the 2020 ACBL Honorary Member of the Year.

Carried

Item 193-76: Nadine Wood ACBL Volunteer Member of the Year

Chuck Wilkinson, District 10, was appointed as the 2019 Nadine Wood Volunteer of the Year.

Carried

Item 193-72: Executive Committee Member & Alternate (Western)

Kevin Lane was appointed as the Western Zone Executive Committee Member for a three-year term, January 1, 2020 – December 31, 2022.

Claire Jones was appointed as the Western Zone Executive Committee Member alternate for a three-year term, January 1, 2020 – December 31, 2022.

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The Board of Directors convened into committee meetings at 9:20 a.m. for the rest of the morning.

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The Board of Directors reconvened into full board at 12:30 p.m. – 1:45 p.m. for Strategic Planning Committee presentation.

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The Board of Directors reconvened into Committee meetings at 1:45 p.m. for the rest of the day.

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The meeting was called to order by President Russ Jones on Wednesday, November 27, 2019 at 9:10 a.m

Present: Same as Tuesday, November 26
Also Present: Same as Tuesday, November 26 in addition to Robb Gordon

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GOVERNANCE BOARD OPERATIONS COMMITTEE	
Hennings (C)	
Anderson, Cuneo, Janicki, Stephani, Popper, Vilhauer, Zayac	Staff: Dunn

As reported by Committee Chair

Item 193-16/51: ACBL Board Reorganization

The following plan, “ACBL Board of Directors Reorganization Plan - San Francisco 2019,” be adopted.

ACBL Board of Directors Reorganization Plan - San Francisco 2019

1. The 25 existing districts will continue to exist.
2. Thirteen (13) Regions will be created by combining adjoining Districts as follows:

<u>Region</u>	<u>District</u>	<u>District</u>	<u>District</u>	<u>#Mem</u>	<u>#Mem</u>	<u>#Mem</u>	<u>Total</u>
1	1	2		5,500	7,900		13,400
2	24	25		5,200	7,900		13,100
3	3	4		6,100	6,200		12,300
4	5	6		3,100	7,000		10,100
5	8	13	14	2,700	4,700	3,900	11,300
6	7			13,600			13,600
7	12	10	11-	4,000	6,400	4,300	14,700
8	9			19,500			19,500
9	15	16		3,000	9,200		12,200
10	17			9,000			9,000
11	22	23		6,600	3,200		9,800
12	20	21		3,700	8,300		12,000
13	18	19		4,000	6,700		10,700

3. The transition to 13 members will begin during the election cycle in the 3rd Quarter of 2020. At that time, the following six regions will have elections for the office of Regional Director (RD), the three-year terms of which will run from 2021 through 2023: 1, 3, 5, 9, 11, 12. This will be Class 1. However, Region 9, upon the election of the RD in 2020, will move into Class 3 and the Region 9 RD will serve an initial two-year term only.

4. Elections for the following four Regions will take place in 2021: 2, 4, 6, 13. This will be Class 2.
5. Elections for Regions 7, 8, and 10 will take place in 2022. This will be Class 3.
6. Once the initial election is held for a region, an election will be held for that region every three years thereafter.
7. Elections for the position of RD will be open to any ACBL member in good standing over the age of 18.
8. All the unit boards within a Region will vote to determine the RD. Unit votes will be weighted based on the number of members in each unit and the number of board members on each unit board in the same manner as current elections for District Directors (DD).
9. The term for the RD position is three years. RDs will be subject to the same term limits as existing DDs (four consecutive three-year terms per Article V, 5.3.3 of our Bylaws).
10. If a DD either runs for the position of RD and is unsuccessful or elects not to run, said DD will be entitled to serve out the remainder of his/her present term.

Example: District X and District Y are combined to form Region Z. District Director X's term expires in 2020 and District Director Y's term expires in 2022. An election will be held in the 3rd Quarter of 2020 to choose a Regional Director for Region Z. District Director X and District Director Y are both eligible to run. If either District Director X or District Director Y runs and loses or chooses not to run, he/she will serve the remainder of his/her term plus have the option of serving an additional three-year term. If either District Director X or District Director Y runs and wins, he/she will serve a three-year term as Regional Director for Region Z.

11. If a party not currently a DD wins the election for RD, existing DDs will still have the option of remaining on the board for the balance of their terms.
12. If a Regional Director is unable to complete his/her term of office, the position will remain vacant until a replacement can be elected. The usual RD election cycle is 3 ½ months; a shortened process of 2 ½ months should be sufficient for these rare special elections. If the shortened cycle begins no later than 30 days after the resignation of the Regional Director is effective, that Region will have a vacancy for, at most, one BOD session at an NABC (assuming the new BOD retains the current 3x/year NABC meeting schedule). The Board of Directors can address the special election conditions on a case-by-case basis as the need arises. The term of the replacement RD will begin upon certification of the election and run until the term of the vacated position is completed.
13. If a RD is unable to attend a meeting, no substitutes or proxies will be permitted.
14. The positions of 1st and 2nd Alternate District Director will cease to exist as of 1/1/2021. The Board of Governors will continue to be represented by five (5) members from each District, including the former 1st and 2nd Alternates.
15. The office of District Director to the ACBL Board shall continue to exist until an election for RD occurs in their Region and the RD takes office.
16. Any DD opting to remain on the BOD after either losing an election for RD or opting not to run in said election, shall be entitled to full voting rights and privileges during the balance of their current term, subject to the provisions of 10 and 11 above.
17. A Transition Task Force will be created under the direction of the Governance Committee to work with Management to transfer non-core responsibilities from the Board of Directors. Non-core responsibilities include program activities and topics integral to the mission of the organization, exclusive of Executive, Audit, Finance, Strategy, Executive Director Review, and Governance, which shall be the focus of the RDs. Non-core functions and decisions shall be transferred by 12/31/2021.

18. The ACBL Bylaws are amended as set out in Appendix A of this motion to reflect this plan (and to make several other non-substantive changes).

Motion failed Aye: 4, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 19, 20, 22, 24 (Needed 2/3 vote)

Item 193-52: Transition Task Force

One or more Transition Task Forces shall be established under the direction of the Governance Committee, to recommend approaches to allow the successful transition of current Board non-core responsibilities and committee functions from the Board of Directors (BOD) to Management and other bodies, as appropriate. **Note:** *The term “Committees” is used generically and as appropriate, includes Task Forces and Advisory Groups as well as traditional Committees.*

- a. This Task Force shall consist of representatives of the Board of Directors, selected by random draw from among interested members of the Board of Directors; of Management, of the Board of Governors, and from among the current Chairs of Committees and Task Forces whose functions are not the core functions of the Board.
- b. The Transition Task Force will consider that “Non-Core Committees” should advise and interact directly with Management. The Board of Directors will continue to exercise financial oversight.
- c. Separate Task Forces may be formed to address the specifics of different Committees. These Task Forces shall have the discretion to combine some of the Committee functions, thereby creating fewer Committees.
- d. Administrative, Volunteer Recognition, Disciplinary Oversight, and key “Program” functions (e.g., Bridge, Masterpoints, NABC, Laws, Competitions and Conventions) will all be addressed.
- e. Once the need for a function or Committee has been established, the Transition Task Force shall at a minimum consider Committee scope, authority, operating procedures, and reporting structure. Different Committees will operate differently, some will be more formal than others. Regardless, the Transition Task Force shall develop a checklist for the Committee-by-Committee recommendations it will make that includes but is not limited to the following:
 - i. Should a Committee have a member from the BOD as a Board Liaison in a voting or non-voting capacity?
 - ii. How will a Committee report on work that has financial implications? What are the anticipated costs and how does this planning get into the annual budget preparation that is the responsibility of the Finance Committee?
 - iii. Will Management assign a staff member to each Committee / Task Force / Advisory Group?
 - iv. How is the Chair of a Committee chosen?
 - v. Will the work of a Committee need Board ratification? If so, what is the process and authority of the BOD to override a Committee recommendation? “How will the work of a Committee be respected?”
 - vi. What is the authority of a Committee?
 - vii. What is the process for a Committee to report and document their work?
 - viii. How does someone request that a Committee address a topic?

- k. The ACBL will provide the local committee with \$7,500 to be used by the local committee at their discretion to show their appreciation to local volunteers in lieu of the ACBL hosting a local volunteer dinner immediately prior to the tournament.
- 2. Chapter VIII- North American Bride Championships, NABC Financial Plan be revised to reflect the change above:

NABC FINANCIAL PLAN

Services and Materials Provided by the ACBL

...

- 11. The ACBL will provide the local committee with \$7,500 to be used by the local committee in their discretion to show their appreciation to local volunteers in lieu of the ACBL hosting a local volunteer dinner immediately prior to the tournament.

Effective January 1, 2020

Carried unanimously

Item: 193-36: NABC Regional and Single Session Event Entry Fees

The BOD will set a range rather than exact pricing for NABC Regional and Single Session Events. Entry fees for Regional and Single Session games at all NABCs be *priced in a range from \$16.00 US to \$22.00 US*. (This motion does not affect NABC+, NABC, I/N, Junior or Youth).

The actual session fee should be set for each tournament at least 6 months in advance of the event. Input from the ACBL Finance Committee, ACBL Management and in conjunction with the Local Host NABC Committee, considering local economy, ACBL Finances, local costs, needs and credits. Above all, NABC budgets should address aggregate financial results over the medium term. The price range will be set by the board as needed in the future or at the request of management or the BOD.

Motion Failed Aye: 1, 2, 20 Abstain: 5, 25

Item 193-38: 2019 Operating and Capital Budget

The 2020 operating budget and the 2020 capital budget are received.

Effective immediately

Carried unanimously

BYLAW COMMITTEE

Stephani (C)
Heth, Lodge, Kovacich, Popper

Staff : Dunn

As reported by Committee Chair

Item 193-15: Bylaw Change – Executive Director
(First Reading)

Bylaws Article V, ACBL Board of Directors, Section 5.1 Authority be amended to as follows:

5.1 **Authority.** There shall be a Board of Directors of the ACBL that shall supervise and regulate the business, property and affairs of the ACBL, except as otherwise expressly provided by law, the Certificate of Incorporation or these Bylaws. The Board shall dedicate the organization’s resources to its purposes as set forth in Article I. The Board shall employ a or Executive Director to manage and conduct ACBL business in accordance with policies and regulations established by the Board of Directors.

Effective immediately pending second reading
Deferred to Spring 2020 in Columbus, OH
Deferral carried

NABC REVIEW COMMITTEE

Subeck (C)
Bagley, Kovacich, Bertoni

Staff: Hudson

As reported by Committee Chair

Item 193-60: NABC Child Care

Subsections 2.5 and 1.16, respectively, are removed from the ACBL Codification, Chapter VIII – North American Championships, A. ACBL/Host Organization, Section 2 – Hospitality Funds and E. Operations, Section 1 – General Information. The Codification currently reads as follows:

2.5 **Childcare.** ACBL management will solicit third party providers for childcare services at all NABCs where reasonably practicable.

1.16 Child Care

1.16.1 ACBL management will solicit third party providers for childcare services at all NABCs where reasonably practicable.

1.16.2 Management shall control cost of the childcare program in a fiscally responsible manner. Costs of this program are included in the overall tournament budget.

- 1.16.3 This program should include providing a guest room for the childcare parent coordinator, appropriate space for the childcare program itself and funding as determined by ACBL management for supplies and administrative expenses. ACBL's exposure to liability should be reduced by having the program use licensed and bonded caregivers and by requiring signed releases by the parent coordinator and by the parents/guardians of children in the program.

Effective immediately
Carried unanimously

Item 193-61: Revised Schedule for Selected NABC Events

Under the authority granted to the ACBL Board of Directors in subsection 1.2 of Codification Chapter VIII –North American Bridge Championships, D. Events/Schedules, Section 1 – National-rated Events, the Board approve the following listed game times for the 2023 Fall NABC to be held in Atlanta, GA.

The approved game times will be 10:00 AM and 3:00 PM for the following events:

- (a) the Super Senior (which is currently held at 10:00 AM and 3:00 PM); (b) the 0 - 10,000 Swiss; (c) the 0 - 6,000 Mini Blue Ribbon; (d) the 0 - 10,000 Fast Pairs; (e) the Senior Mixed Pairs; (f) the main event Regional events; and (g) any event added to future Fall NABC schedules that either has an upper masterpoint limit or that is limited to Seniors.

Effective January 1, 2020
Carried Nay: 1, 13, 17, 24

Item 193-64: Hand Records

The Codification Chapter VIII – North American Bridge Championships. E. Operations, Section 1, shall be amended as follows:

- 1.2 The hand records used in any National-rated events shall be used only in those events. This applies to all sessions (qualifying and final). All concurrently scheduled NABC events will use the same hand records.

Motion failed Aye: 14, 20

APPEALS & CHARGES COMMITTEE

Stephani (C)

Carman, Janicki, C. Jones, Levy, J. Smith, Vilhauer

Staff: Dunn/Gordon

As reported by Committee Chair

193-01: Report on Hearing(s) if any

Michael and Linda Windham

The Appeals & Charges Committee affirmed the decision of the EOC to impose the following discipline on Michael and Linda Windham:

Discipline for both parties also included:

1. Six months suspension
2. Three years probation
3. Permanent exclusion from participating in online ACBL Masterpoint contests, and
4. Removal of 100 Masterpoints, and
5. Removal of current Life Master rank until regained.

The EOC decision was not contested by the Windhams.

Susan Jackson

The Appeals & Charges Committee affirmed the Negotiated Resolution entered into between District 14 and Susan Jackson imposing the following discipline:

1. Six months suspension
2. One year probation
3. Removal of 10% of lifetime masterpoints

Sherman Gao

The Appeals & Charges Committee heard and reviewed the appeal of ACBL management of the EOC decision finding that Sherman Gao violated the ACBL's Code of Disciplinary Regulation and imposing a discipline of 14 days suspension and 1 year probation. ACBL management argued that the EOC's decision was not supported by the weight of the evidence, that their procedures were inconsistent with the CDR, and that the discipline imposed was inappropriate. The A&C Committee AFFIRMS the EOC decision that Mr. Gao violated the CDR. However, the A&C Committee believes that the EOC should revisit the discipline imposed and its reasoning therefor.

As described in the EOC Committee Narrative Decision, the EOC treated the evidence as falling into five separate categories: (1) Psyching; (2) Coffeehousing; (3) Transmission of Unauthorized Information (UI); (4) Receipt of UI from Extraneous Sources; and (5) Misuse of UI. Of these five, the EOC determined that the evidence supported a finding that "Mr. Gao repeatedly availed himself of unauthorized information contrary to Laws 16B1 and 73C1, and thereby violated CDR 3.1" (EOC Narrative Decision, p. 15). The EOC further determined that the evidence was insufficient to support a finding of unethical conduct or other CDR violation for the other four categories.

The EOC then considered the evidence on the Misuse of UI in fashioning an appropriate discipline. However, it did not appear to consider any other evidence, which, though insufficient

to support a violation in the other four categories, may nonetheless be relevant in determining the appropriate discipline.

The A&C Committee therefore requests that the EOC Committee reconsider its decision regarding Mr. Gao's discipline with the instruction it may, but is not required to, consider evidence other than that used to support a finding that Mr. Gao misused UI. The A&C does not suggest or imply a different discipline or longer time period of the actual discipline imposed. Also, we note that the EOC's assumption that "deducting masterpoints might put Mr. Gao in a lower masterpoint stratum" (EOC Narrative Decision, p. 20) is incorrect as a matter of ACBL regulation, as CDR 4.1.8(e) states that "Management shall assign Eligibility Points to equal the number of masterpoints that have been forfeited by the Disciplinary Body's decision." In addition to reconsidering the length and type of discipline, the EOC Committee should therefore reconsider whether the removal of any of Mr. Gao's masterpoints is appropriate.

Carried

Item 193-03: CDR – Eliminate Tournament Disciplinary Committees

Tournament Disciplinary Committees is eliminated at the local level (regional and sectional). The following sections of the Codification and CDR is modified to accompany the change described here (CDR language taken from CDR effective January 1, 2020 which includes the elimination of Unit disciplinary roles.

Codification - Chapter I: Membership, Section 1: Code of Disciplinary Regulations,

- 1.1 The ACBL Code of Disciplinary Regulations is a living document..
 - 1.1.1 See the Code of Disciplinary Regulations ("CDR") and the Unit and District Disciplinary Procedures (located in Chapter 11 of the ACBL Handbook of Rules and Regulations) on the ACBL website.
 - 1.1.2 Effective date of amendments to the CDR.
 - 1.1.2.1 Barring exceptional circumstances, the guideline for setting the effective date for any amendment to the CDR approved during a calendar year shall be January 1 of the next calendar year.---
- 1.2 The Code of Disciplinary Regulations, the ACBL Handbook of Rules and Regulations and the Handbook's Appendix B (Handbook for Bridge Appeals Committees) are available on the ACBL website and should be made available to any person who is appointed chair of a disciplinary committee or a bridge appeals committee..

CDR – Definitions

TDC A NABC Tournament Disciplinary Committee. It has limited disciplinary powers and it conducts a hearing and completes its deliberations at or immediately after an ACBL NABC tournament and hears Charges arising from Incidents occurring at a tournament. (See also CDR 1.4 and 5.3.)

CDR 1. ACBL DISCIPLINARY BODIES

1.4 NABC TOURNAMENT DISCIPLINARY COMMITTEE

CDR 2. JURISDICTION OF DISCIPLINARY BODIES

2.1 JURISDICTION, GENERALLY (OR LACK THEREOF), OF DISTRICTS, THE ACBL AND TOURNAMENT DISCIPLINARY COMMITTEES (see also CDR 2.2)

2.1.2 District Jurisdiction. A District has jurisdiction over:

- a. Persons participating in an ACBL sanctioned event or other activity (sponsored by any Unit, any District or the ACBL) held or occurring within its geographical boundaries (District Disciplinary Committee). However, if a District sponsors an event in another District's geographical boundaries, the District in which the event is held may agree to the sponsoring District having jurisdiction over any violations of this CDR occurring at that event, but this decision must be made at the time that it gives permission to hold the event within its geographical boundaries.
- b. Decisions of a District's District Disciplinary Committee and the Charged Party for appellate purposes only (District Appellate Committee).
- c. Cases involving alleged violations by member Units referred to in CDR 9.1 (District Disciplinary Committee).
- d. Members of that District when such member is participating in an ACBL sanctioned event or other activity sponsored by any Unit, any District, or the ACBL.
- e. Persons participating in a club sponsored ACBL sanctioned event held within the District's geographical boundaries relating to Complaints of alleged (i) cheating by use of signals, other unauthorized information or other forms of cheating or (ii) serious breaches of ethics.

2.1.4 *TDC Jurisdiction.* An NABC Tournament Disciplinary Committee, as well as the disciplinary committee of the sponsoring organization, has jurisdiction over persons in attendance at that tournament. Tournament Disciplinary Committees are established with the approval of the ACBL President for hearing Charges related to Incidents occurring at NABCs.

4. OPTIONS FOR IMPOSITION OF DISCIPLINE

4.4 SUSPENSION PENDING HEARING

- 4.4.1 *Policy.* When Charges have been brought against a person, such Charged Party may play in an ACBL sanctioned event pending the hearing unless otherwise directed by the (i) chairperson of the Disciplinary Body which will be hearing the Charges, (ii) DIC of a Sectional or higher-rated tournament when a Charge is to be heard at that tournament by a Tournament Disciplinary Committee), or (iii) Executive Director when a Tournament Disciplinary Committee has recommended additional discipline pursuant to CDR 5.3.14. When charges have been brought by the World Bridge Federation, a NBO or one of the Zonal Conferences of the World Bridge Federation, such person so charged may play in an ACBL sanctioned event pending hearing unless otherwise directed by the ACBL CEO.

However, if directed not to play, it is a “Suspension Pending Hearing.” Such Suspension Pending Hearing should be rarely issued – only in extreme cases or when a hearing is delayed due to the fault of the person charged. A Suspension Pending Hearing may not be appealed.

4.4.2 *Requirements when Suspension Pending Hearing is in effect*

- (a) If a case is before a District-level Disciplinary Body, the hearing must commence within sixty (60) days unless the person charged causes a delay.
- (b) If a case is before the Tournament Disciplinary Committee, the hearing must commence no later than sixty (60) minutes after the conclusion of the final session the day after the Suspension Pending Hearing was imposed or no later than sixty (60) minutes after the conclusion of the final session of the tournament, whichever is earlier, *unless* the person charged causes a delay.

If the matter is not heard at the tournament due to the delay of the Charged Party, the Suspension Pending Hearing will remain in effect until the proper Disciplinary Body hears the matter or lifts the Suspension Pending Hearing. If the matter is not heard at the tournament for any other reason, the Suspension Pending Hearing must be lifted, and the matter must be referred to the appropriate Disciplinary Body to be heard. of (See CDR 5.3.14.)

- (c) If a case is before the Appeals and Charges Committee, ACBL Disciplinary Committee or Ethical Oversight Committee, the hearing must commence at the next ensuing ACBL Board of Directors’ regular meeting or NABC, consistent with adequate notice, unless delay is caused by the person charged.

5. PROCEDURES FOR DISCIPLINARY BODIES OF ORIGINAL JURISDICTION

5.1 GENERAL PROCEDURES FOR CONDUCT OF HEARINGS BY DISCIPLINARY BODIES OF ORIGINAL JURISDICTION (See also CDR Appendix A (Guidelines for Conducting Disciplinary Proceedings))

5.1.11 *Advocate/Presenter.* Representation for the Executive Committee, ACBL Management, a District, a Unit or the DIC before Disciplinary Bodies of original jurisdiction may be provided at cost to the Executive Committee, ACBL Management, the District, the Unit or the DIC, respectively, as follows (see also CDR 5.2.3(c), 5.2.3(d) and 5.3.6(c)).

- a. In matters before a NABC Tournament Disciplinary Committee, the Charging Party may appoint a representative to be an Advocate for the Charging Party or may appoint a representative to be a Presenter.

5.3 SPECIFIC PROCEDURES FOR CONDUCT OF HEARINGS BY A NABC TOURNAMENT DISCIPLINARY COMMITTEE

5.3.1 *Expedited Hearing.* Disciplinary procedures at NABC tournaments are intended to be expeditious. Matters that could be heard by a TDC involving tournament discipline shall be heard by a TDC, and the hearing shall be conducted at (or immediately after) the NABC tournament at which the Incident leading to discipline took place. (Refer to CDR 5.3.2 through 5.3.14 for procedures specific to tournament disciplinary proceedings.)

5.3.2 *Complaint/Charges/Charging Party.* A Complaint (which may be in the form of a player memo) involving Incidents at a tournament must be made by a participant in the tournament, by the sponsoring organization's recorder or by the DIC (or his designee, which designation must be in writing) (see CDR 5.3.4 when the subject of a Complaint or a Charged Party is no longer present at the tournament or when a Complaint is made following the conclusion of the tournament).

An initial Charge, based upon the Complaint, must be brought by the DIC (or his designee) to the NABC TDC or forwarded to the appropriate Disciplinary Chair.

The DIC (or his designee) shall be the Charging Party even when the DIC (or his designee) or a tournament staff member is the Complainant. The Charging Party in deciding to bring a Charge must answer "yes" to the following three (3) questions:

- a. Is there *prima facie* evidence that the Complaint has some validity (that there was misconduct)?
- b. Does the NABC Tournament Disciplinary Committee have jurisdiction?
- c. If the Charged Party is found responsible, would the Tournament Disciplinary Committee be obligated to issue a discipline?

If the answer is "yes" to all three questions, Charges must be brought.

- 5.3.4 *Hearing Held Following NABC Tournament.* Circumstances may not permit a hearing to be held during a NABC in which case the following procedures will apply:
- a. A Complaint about a participant who is no longer present at the tournament will be reviewed by the DIC (or his designee) in accordance with the standards set forth in CDR 5.3.2 above to determine whether to bring Charges to the appropriate Disciplinary Body as provided in CDR 5.3.4(b) below.
 - b. Charges, with an attached Complaint, against a person who is no longer present at the tournament shall be sent, preferably via email, by the DIC (or his designee) within ten (10) days of the end of the tournament to the appropriate Disciplinary Body for a hearing as follows (automatically delegating the responsibility as Charging Party to ACBL_Management

5.3.14 *Additional Discipline Recommended.* When the Tournament Disciplinary Committee determines the Charged Party has committed an offense which may warrant a discipline exceeding ninety (90) days, the Tournament Disciplinary Committee, after imposing either a Suspension of ninety (90) days, a Probation of ninety (90) days or both (not to exceed 90 days cumulatively) under this CDR 5.3 (see specifically CDR 5.3.11), shall within ten (10) days refer its Hearing Report with its recommendations for discipline of more than ninety days and the reasons for it via ACBL Management to:

- (a) The ACBL Disciplinary Committee when the Incident occurred during a NABC or another event sponsored by the ACBL. The next higher level appellate body shall hear any appeal from the decision of the NABC Tournament Conduct Committee and/or the ACBL Disciplinary Committee. (See also **CDR 7.3.1.**)

7.1 APPEALS TO A DISTRICT APPELLATE COMMITTEE

- 7.1.1 *Right to Appeal a Disciplinary Body's Decision.* The Disciplined Person and/or the Charging Party may file a written request to appeal with the District Appellate Committee chairperson (and/or the District President, or their respective designee, who shall promptly forward such written appeal to the District Appellate Committee chairperson) from:

A decision of Disciplinary Committee. must be located within the geographical area of the District; or

- c. A decision of that District's District Disciplinary Committee

APPENDIX A

To Code of Disciplinary Regulations

GUIDELINES FOR CONDUCTING DISCIPLINARY PROCEEDINGS

INTRODUCTION

Tournament Disciplinary Committees hear Charges (filed in response to Complaints or player memos) involving conduct and ethics arising at a NABC tournament. District Disciplinary Committees¹ also usually hear initial Charges (filed in response to Complaints) involving conduct and ethics. District Appellate Committees hear appeals challenging the decisions of lower level jurisdictional bodies (such as Unit Disciplinary Committees or District Disciplinary Committees).

III. THE DISCIPLINARY BODY

A. Selection of the Proper Disciplinary Body

Each District should have a standing committee whose purpose is to hear and decide disciplinary matters. Where such a standing committee does not exist, it must be formed on a case-by-case basis. All members of the Disciplinary Body should be well-respected members of the bridge-playing community. The committee as a whole should represent the diverse makeup of the District. The District Board of Directors selects a Disciplinary Body chairperson as well as members of the committee (or establishes rules for selection of a disciplinary committee when necessary).

1 District Disciplinary Committees may also act as an appellate body when they hear an appeal of a barring from a club.

A Tournament Disciplinary Committee is selected by ACBL Management and approved by the ACBL President.

Effective January 1, 2020
Carried unanimously

Item 193-04: CDR – Advocate

The CDR is amended as indicated below. In addition, the Office of National Recorder has the right to conform the language if a section were unintentionally excluded from these amendments below.

CDR – Definitions:

Advocate A person selected by the Charging Party and the Charged Party to represent their respective position before a Disciplinary Body.

CDR 5 PROCEDURES FOR DISCIPLINARY BODIES OF ORIGINAL JURISDICTION

5.1 GENERAL PROCEDURES FOR CONDUCT OR HEARINGS BY DISCIPLINARY BODIES OF ORIGINAL JURISDICTION (See also CDR Appendix A (*Guidelines for Conducting Disciplinary Proceedings*))

5.1.11 Advocate The Charging Party and the Charged Party each have the right to appoint an Advocate who shall not be a member of the ACBL Board of Directors to represent them before a Disciplinary Body at their own cost. For matters before a Tournament Disciplinary Committee, District Disciplinary Committee, or District Appellate Committee, this Advocate shall not be an Attorney.

5.2.5 *Required Appearance at Hearings*

- a. Either the Charging Party and/or the Charging Party's Advocate is required to appear in person, by telephone or by Skype, or some similar mechanism, at the person's expense.

5.3.3 *Required Appearance at Hearings*

- a. Either the Charging Party and/or the Charging Party's Advocate is required to appear in person, by telephone or by Skype, or some similar mechanism, at the person's expense.

7. PROCEDURES FOR APPELLATE BODIES

7.4 OTHER APPELLATE PROCEDURES FOR ANY APPELLATE BODY

7.4.6 *Representation Provided for ACBL-Related Entities.* The Appellant and/or the Appellee have the right to appoint an Advocate to represent them before an Appellate Body at their own cost. For matters before a District Appellate Committee, this Advocate shall not be an Attorney.

CDR Appendix A to Code of Disciplinary Regulations

I. Complaint, Charges, and Advocate

C. Advocate

An Advocate may be selected by the Charging Party and/or the Charged Party to represent them before a Disciplinary Body the Advocate is not neutral or unbiased. The Advocate is free to aggressively prosecute or defend the Charges.

E. Presentation of the Case

The Disciplinary Body chairperson should read the Charges (if the Charges are voluminous, they may be summarized).

In general, the chairperson will provide an opportunity for each side to present its case, beginning with a very short opening statement. The Disciplinary Body should then hear the evidence, first by the Charging Party in support of the Charges and then on behalf of the Charged Party, followed in each case by questioning by the other side. (See Witnesses immediately below.) If the Disciplinary

Body deems it necessary or appropriate, the chairperson may allow very short closing statements. Each side should have equal allocation of time in total.

F. Witnesses

Following opening statements, witnesses may be questioned by the party (or a representative) who calls them, by the other party (or a representative), as well as by the members of the Disciplinary Body. At his or her discretion (which is encouraged), the chairperson may sequester one or more witnesses (e.g., allow them to attend the hearing only while giving their testimony and caution them against discussing the case until the hearing is completed).

Effective January 1, 2020

Carried Abstain: 8

Item 193-05: CDR – Direct Complaints

Direct Complaints are eliminated in the CDR. The following sections of the CDR are modified to accompany the change described here (CDR language taken from CDR effective January 1, 2020 which includes the elimination of Unit disciplinary roles):

CDR – Definitions

Complainant An ACBL recorder who brings a Complaint.

Complaint A written accusation by an ACBL recorder based on a reported Incident from a member, a non-member playing in an ACBL sanctioned tournament, ACBL Management, a Unit or a District alleging an act or conduct not in conformance with the ACBL's standards that requests that Charges be brought to an appropriate Disciplinary Body for a hearing.

CDR 5.2 SPECIFIC PROCEDURES FOR THE CONDUCT OF HEARINGS BY A DISTRICT DISCIPLINARY COMMITTEE, THE ETHICAL OVERSIGHT COMMITTEE AND THE ACBL DISCIPLINARY COMMITTEE (See also CDR 5.1.)

5.2.1 *Complaint.* A Complaint requesting that Charges be brought to an appropriate Disciplinary Body must be made in writing and submitted to the appropriate Charging Party having jurisdiction, i.e. the District or ACBL (see CDR 2.), by any ACBL recorder within the period of limitations described in CDR 5.2.1(a), (b), and (c) below. Note that a Complaint is the only basis for an official Charge to a District Disciplinary Committee, the Ethical Oversight Committee or the ACBL Disciplinary Committee. Each of these committees receives and acts on a Charge, not a Complaint. (See CDR 5.2.2.)

- (a) A recorder may file a Recorder Complaint involving a single Incident of conduct within sixty (60) days of receipt by the recorder of a player memo, if and only if such player memo is submitted to the Recorder within one hundred twenty (120) days of the Incident.
- (b) A Complaint involving a pattern of conduct must be brought within five (5) years of the earliest instance referenced in the Complaint.

- (c) Notwithstanding the previous limitations period above, a Complaint any ethical violation for which CDR 3.20 “Cheating and other Ethical Violations” would apply, is not subject to a period of limitations.

5.3.4 *Hearing Held Following Tournament.* Circumstances may not permit a hearing to be held during a tournament in which case the following procedures will apply 3:

- 3. Complaints, usually in the form of a player memo, for which the DIC lacks sufficient information (or lacks sufficient time to obtain sufficient information) may be sent to the relevant recorder. (See also CDR 5.2.1.)

I. COMPLAINT, CHARGES, ADVOCATE AND PRESENTER

A. Complaint

The ACBL recorder who files a Complaint is a Complainant. Before the recorder contemplates filing a Complaint, he or she should be sure that a proper investigation was done, and it contains all the information known to her. The Complaint, then, is a written document in which the recorder alleges that another member or competitor has violated ACBL Regulations in some specific manner that is explained in the Complaint. A Complaint must be submitted to the responsible person in the appropriate entity having jurisdiction: either a District, the ACBL or, for NABC tournaments, the DIC. This responsible person is referred to as the Charging Party. Whether the Complaint is sufficient to support Charges is a decision that is made by the Charging Party.---

B. Charging Party and Charges

The Charging Party for tournaments is the DIC or her designee. A Charging Party who receives a Complaint outside of a tournament setting is the responsible person selected by the District Board. If one is not selected, the president of such District is deemed to be the Charging Party. When the Charging Party has a conflict, he or she should designate another member of the District Board to act as Charging Party. Charges may also be brought by the ACBL, usually through its National Recorder who brings the Complaint to ACBL Management. The Charging Party must not be the disciplinary committee chairperson, any other member of the disciplinary committee or the organization's recorder.

The Charging Party must review the Complaint (which may be in the form of a player memo) and decide whether, and in what respect, the CDR is violated. The Complaint should contain allegations that establish a prima facie case of wrongdoing under the CDR. It does not mean that Complainant must lay out the entire case; rather, facts sufficient to evidence wrongdoing in violation of the CDR must be presented (before the Charged Party is given an opportunity to argue against them). If the Complainant has not recited sufficient allegations to establish a prima facie case, then an investigation must occur to discover and include sufficient facts in to set forth such a prima facie case. If no prima facie case can be established or no Disciplinary Body has jurisdiction over the matter, then no Charges should be brought.

Effective January 1, 2020
Carried Abstain: 8

Item 193-06: Trophy Assignment Policy

Awards received consequent to first or second place finishes ultimately vacated or relinquished are stricken.

Chapter I – Membership, H. Awards and Trophies, Section 2 – Trophy Assignment Policy and Chapter VIII – North American Bridge Championships, D. Events / Schedules be amended as follows:

Section 2 - Trophy Assignment Policy

2.9. Relinquishment of Title.

2.9.1 Any ancillary benefit coming from a 1st or 2nd place finish in a NABC or NABC+ event will be removed or returned for all members of the relinquishing pair or team. This includes but is not limited to –

2.9.1.1 Any remuneration of any kind shall be returned to the ACBL.

2.9.1.2 Any trophy shall be returned to ACBL. The names of the relinquished players shall be struck from any trophy awarded.

2.9.1.3 Any rank change occurring as a result of the relinquished title shall be rescinded, including but not limited to Grand Life Master.

2.9.1.4 Any masterpoints and any event (such as Blue Ribbon Pairs) qualification shall be removed.

2.9.1.5 Any trophy or award received because of masterpoints received, including but not limited to Mott-Smith, Goren, Fishbein, Player of the Year, Barry Crane Top 500, and Richmond shall be forfeited, and those titles shall remain vacant.

2.10. Vacated Titles.

2.10.1 The following ancillary benefits derived from a 1st or 2nd place finish in a NABC or NABC+ event that was vacated under ACBL Board of Directions' Resolution (Item 192-03) will be removed or returned for all members of the relinquishing pair or team:

2.10.1.1 Any trophy shall be returned to ACBL. The names of the players whose titles were vacated shall be struck from any trophy awarded.

- 2.10.1.2 Any rank change occurring as a result of the vacated title shall be rescinded, including but not limited to Grand Life Master.
- 2.10.1.3 Any masterpoints and any event (such as Blue Ribbon Pairs) qualification shall be removed.
- 2.10.1.4 Any trophy or award received because of masterpoints received, including but not limited to Mott-Smith, Goren, Fishbein, Player of the Year, Barry Crane Top 500, and Richmond shall be forfeited, and those titles shall remain vacated.

Effective immediately

Carried Abstain: 8

Item 193-07: Club Sanctioned Games

Codification Chapter VI – Club Sanctioned Games, F. Discipline, Section1 – Club Discipline is amended as indicated below:

1.1 *General Procedures.* Club management should deal promptly and fairly with all cases of improper conduct that occur during an ACBL-sanctioned masterpoint game in the club, including cases of unethical practices. Matters that could involve Ethical Violations such as cheating should be referred to the ACBL National Recorder for evaluation.

(a) Club Management should either handle these situations personally or establish a standing committee to review all disciplinary problems.

(b) Club management can handle many behavior problems by discussing them with the offenders, by issuing a warning, or by declaring a period of Probation.

(c) Clubs holding non-sanctioned games may deal with problems arising in these games as they see fit.

1.2 *Right to bar an ACBL member.* In extreme cases or cases of repeat offenses, club management can bar an ACBL member from ACBL sanctioned games held at that club for either a stipulated period of time or permanently. The reason for such barring must be consistent with ACBL rules and regulations. Following are the types of barring that may be imposed:

(a) Club-sponsored game barring (member is barred from club-sponsored games held at that club). In addition to regular club games, club-sponsored games include Club Championship, Club Appreciation Pair/Team, Club Membership, Upgraded Club Championship, Inter-Club Championship, Junior Fund, Charity Games, Grass Roots FUNd, International Fund, and Educational Foundation;

(b) Extended barring (member is barred from unit, district and ACBL-sponsored games held at that club except for sectionals or regionals held at that facility). All other games held at that club not listed in 1.2 (a) above are considered Unit, District or ACBL-sponsored games including STaCs;

(c) Unit Sponsored Club barring (member is barred from all ACBL sanctioned games held at that club by Club management). See definition of Unit Sponsored Club in the Code of Disciplinary Regulations.

1.3 *Limitations on the right to bar.* No open club may bar an ACBL member, non-ACBL member or members as a class, based upon the player's race, creed, religion, political affiliation, sexual orientation, national origin, physical handicap, or his proficiency at bridge. These regulations apply to a club with an invitational sanction except that the club has the authority to refuse admittance to an invitational game to someone who does not meet the criteria upon which the invitational sanction is based (e.g. a member who has 500 masterpoints is denied admittance to an invitational game that is limited to members with less than 300 masterpoints). See Codification, Chapter VI, B, Section 2.

1.4 *Notice of barring.* Club management must notify the ACBL member in writing and send a copy of the notice to the ACBL Club **and** Member Services Department. The notice must include:

- (a) the ACBL member's name,
- (b) the ACBL member's player number,
- (c) the reason for the barring;
- (d) type of barring from section 1.2 (a), (b), or (c)
- (e) effective date and end date, if any, of the barring, and
- (f) the ACBL member's right to appeal to the District Disciplinary Committee chairperson within thirty days of the notification pursuant to section 7 of the Code of Disciplinary Regulations if the barring is for section 1.2 (b) or (c) or section 1.3.

1.5 *Right to Appeal a club barring.* Appeals must be filed with the District Disciplinary Committee chairperson within thirty days following date of the notice of barring. An ACBL member has a right to appeal the following pursuant to section 7 of the Code of Disciplinary Regulations:

- (a) The portion of an extended barring that makes it "extended",
 - (b) A Unit Sponsored Club barring.
 - (c) A barring due to discriminatory reasons listed in section 1.3 of these regulations.
- Non-ACBL members and members as a class also have the right to file an appeal based on being barred for discriminatory reasons.

Effective January 1, 2020
Carried Abstain: 8

Item 193-08: Transcript

The following language is added to CDR 5.1.3 (b):

CDR 5.1.3 (b) A stenographic or recorded record of the hearing shall be kept. The Disciplinary Body shall also preserve a copy of all documentary evidence presented to it. If such a record (or a similar facsimile of it) or documentary evidence is not available, the appellate body may remand the issue to the original (or immediately preceding) Disciplinary Body to be reheard. Should a stenographic or recorded record of the hearing be requested, the cost, if any, shall be borne by the party requesting the record (who must also provide, if requested, a free copy to the other party and the committee). Only the parties to the hearing, the reviewing Disciplinary Body, and the

Disciplinary Body who heard either the original matter or the intermediate appeal of the matter may have access to such record.

Effective immediately

Carried Abstain: 8

Item 193-09: Disciplinary Information Sharing

Codification Chapter I – Membership, F. Discipline and ACBL Code of Disciplinary Regulations, Section 3 – Disciplinary Administrative Policies is changed as follows:

Section 3 – Disciplinary Administrative Policies

3.3 Notices of discipline shall be sent routinely to:

- a. the person disciplined;
- b. the charging party;
- c. the ACBL Board of Directors;
- d. the disciplined person’s District president, secretary and recorder;
- e. the disciplined person’s Unit president, secretary and recorder.
- f. the appropriate NBO of the WBF;
- g. the ABA, if an Ethical Violation (for this subsection, as defined in the CDR);
- h. the ACBL Executive Director;
- i. ACBL staff as determined by the ACBL Executive Director;
- j. the complainant;
- k. the appropriate appellate body chairperson;
- l. the WBF, if an Ethical Violation; and
- m. the NABF, if an Ethical Violation.

Effective immediate

Carried Abstain: 8

BRIDGE COMMITTEE

Carman (C)

Bagley, Bertoni, C. Jones, Kovacich, Levy, J. Smith, W. Smith, Subeck	Staff: Weinstein, Metcalf
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As reported by Committee Chair

Item 193-23: Appendix B Seeding Points

Conditions of Contest, Appendix B – Seeding Points (SPs) for Vanderbilt and Spingold Knockout Teams, and Soloway Teams, replace the previous version of Appendix B.

Effective January 1, 2020

Carried unanimously

Item: 193-25: Grass Roots Fund Month

Codification Chapter V – Charity, Foundations and Special Funds, Section B, Charity and Fund Games – Clubs, Section 2 – Special Games at Clubs Subsection 2.4 is amended as follows:

2.4 The month of May is designated as Grass Roots Fund Month. Clubs may hold special games under the same rules and regulations applicable to the other special fund months (currently benefitting the Junior Fund, the International Fund and the ACBL Charity Foundation). Funds raised shall be used by the individual Districts to help fund Grass Roots Events (as defined below). The ACBL shall not charge the Districts any fee for the cost of collecting and disbursing these funds.

2.4.1 Grass Roots Events are defined as the Grand National Teams and the North American Pairs.

2.3.2 Grass Roots funds may be used to provide player stipends for attending the competition at the NABCs and encouraging attendance at the Unit and District finals. In addition, at the discretion of the District, funds may be used to prepare and promote participation by players in Flights B and C at the club level.

2.3.3 At the conclusion of the collection cycle, 80% of the funds, net of total entry fee awarded by the ACBL Flights A, B and C, is returned to the respective Districts that raised the monies. The remaining 20% is retained by the ACBL and distributed according to the following process:

- Calculate the amount of Grass Roots Funds raised per member in the District;
- Sort the Districts based upon number of members from highest to lowest. Give the nine largest the value of ‘0’ in the Rank Column, the next eight the value of ‘1’ in the Rank Column, and the remaining eight the value of ‘2’ in the Rank Column;
- Calculate the Mean and Standard Deviation (SD) for the value of the amount raised per member for the 25 Districts. If the respective District raised less than 1 SD below the mean, place a value of ‘0’ in the Fund Rank Column. If the District raised between 1 SD and 0.5 SD below the mean, place a value of ‘1’ in the Fund Rank Column. If the District raised between .5 SD below the mean and the mean, place a value of ‘2’ in the Fund Rank Column. If the District raised between the mean and 0.5 SD above the mean, place a ‘3’ in the Fund Rank Column. If the District raised more than 0.5 SD above the mean, place a ‘4’ in the Fund Rank Column;
- Calculate the amount of Rebate based upon the formula:
- $\text{Rebate} = \text{Total Pool} * ((\text{Size Rank} + (\text{Fund Rank} * 4)) / (\text{Sum of all Size Ranks} + (\text{Sum of all Fund Ranks} * 4)))$

Effective January 1, 2020
Carried unanimously

Item 193-26: Non-Conforming Events

Codification Chapter XIII – General Tournament Information, F. General, Section 1 – Tournament Events and Restrictions is amended:

- 1.1 The sponsor of an ACBL-sanctioned tournament must, prior to submitting a schedule for approval or publicizing a schedule, request and receive permission from Management if intending to schedule an event which does not conform to practices in common tournament usage. This requirement applies in all situations, and specifically in situations where existing Conditions or ACBL regulations appear to be silent, ambiguous, or even permissive.

This includes, but is not limited to, number of boards played, number of matches played, scoring method, flight or strata limits, bracket size, awarding of Masterpoints and pigmentation thereof, etc.

Permission may be denied, or may be granted with specific conditions attached, including ones pertaining to Masterpoint issuance.

Effective January 1, 2020, including tournaments already advertised.

Carried unanimously

Item: 193-27: North American Pairs Invitational Club

Codification Chapter XI – Special Events, C. North American Pairs, Section 2 – Club Level Qualifying, subsection 2.12 is amended as follows:

2.12 An invitational club may participate and qualify players for the unit level competition. Masterpoint awards for invitational flights are 50% red/50% black and are equivalent to 80% of sectional rating.

Effective June 1, 2020

Carried unanimously

Item 193-28: Vanderbilt/Spingold COC

Revised Conditions of Contest for the Vanderbilt and Spingold (attached as Exhibit 1 CoC) is approved.

Effective January 1, 2020

Carried unanimously

Item 193-29: CoC Soloway Teams

The revised Conditions of Contest for the Soloway Teams (attached as Exhibit 2 CoC) is adopted.

Effective November 28, 2019

Carried unanimously

Item 193-30: Bracketed Teams CoC

The Conditions of Contest for Bracketed Teams (attached as Exhibit 3 CoC) is adopted.

Effective January 1, 2020
Carried unanimously

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Item 193-79: Summer 2025 NABC Philadelphia, PA

The ACBL Board of Directors approves the Summer 2025 NABC to be held at the Marriott Downtown in Philadelphia, PA on July 19 – August 4, 2025.

Carried unanimously

Item 193-80: Summer 2030 NABC Philadelphia, PA

The ACBL Board of Directors approves the Summer 2030 NABC to be held at the Marriott Downtown in Philadelphia, PA on July 18 – August 3, 2030.

Carried unanimously

* * * * *

The meeting was called to order by President Russ Jones on Thursday, November 28, 2019 at 9:00 a.m.

Present: Same as Tuesday, November 26
Absent: Jay Whipple, D9 and David Moss, D24 Director Elect

Also Present: Same as Tuesday, November 26

GOVERNANCE BOARD OPERATIONS COMMITTEE

Hennings (C)
Anderson, Cuneo, Janicki, Stephani, Popper, Vilhauer, Zayac Staff: Dunn

As reported by Committee Chair

Item 193-43: Transfer from Unit 231 District 6 to Unit 169 District 7

Members in Martinsville City/Henry County Virginia including zip codes 24054, 24055, 24078, 24089, 24112, 24113, 24114, 24115, 24148, 24165 and 24168 are transferred from Unit 231 in District 6 to Unit 169 in District 7.

Effective January 1, 2020
Carried unanimously

Item 193-47: 401(k) Trustees

Paul Cuneo is ratified as a 401(k) Trustee for the term beginning January 1, 2019 – December 31, 2022.

Al Levy is ratified as a 401(k) Trustee for the term beginning January 1, 2017 – December 31, 2020.

Effective immediately
Carried Abstain: 1

Item 193-77: 401K Trustee Remainder Term

Carlos Muñoz was elected as ACBL 401K Trustee for the remaining term of departing Trustee Al Levy beginning January 1, 2020 – December 31, 2020.

Carried

Item 193-46: Codification 401(k) Trustee

Codification Chapter IV – Board Procedures, D. Committees, Section 5 – Other ACBL Bodies, Subsection 5.6 ACBL 401(k) Trustees be amended as follows:

- 5.6.1 401k Trustees will consist of two persons elected at Fall Board meetings for four-year terms, which start January 1 following the election. The ACBL Executive Director, or his designee, will serve as a third 401(k) Trustee.
- 5.6.2 401k Trustees will be elected to staggered terms.

Effective immediately
Carried Abstain: 1

Item 193-40: Management Control of Pricing

Codification Chapter II – Business Management, A. Finance, Section 3 – Management Functions is amended as follows:

...

3.1.11 Establish the price of all ACBL products and services

...

The Board of Directors retains, without exception, the complete right of oversight and review of these matters.

Effective immediately

Carried Nay: 13, 24 Abstain: 1

Item 193-44: Non-Agenda Item

Codification, Chapter IV – Board Procedures, C. Meetings, Section 2.3.3.3 is amended as follows:

2.3.3 Non-agenda items

2.3.3.2 A motion received too late for inclusion in the agenda/Journal may be presented at the initial meeting of the Board as a non-agenda item motion. A majority affirmative vote of the Board members present is required to consider a non-agenda item motion.

2.3.3.3 No motion involving a potential financial impact in excess of \$10,000.00 will be introduced as a non-agenda item motion without either the approval of the Executive Committee or three days' notice to the Board. Such motion will require 2/3 vote of the Board members present for consideration.

Effective January 1, 2020

Carried Nay: 1, 24

Item 193-45: Consent Calendar

Codification Chapter IV – Board Procedures, C. Meetings, Section 2 – Conduct of Meetings, Sections 2.5 – Consent Calendar and Section 3 – Committees through 3.5.2 is amended as follows:

2.5 Consent Calendar - The Board of Directors will utilize a consent calendar.

2.5.1 The entire consent calendar will be presented in the opening session of the Board meeting for approval. If an item is removed from the consent calendar, it will be considered during the time assigned to the Committee for its other items.

2.5.2 Motions that are approved or refused unanimously by a committee may be placed on the consent calendar.

2.5.3 Motions that have been amended by the Committee must be published to the full board no later than 7 days prior to the meeting in order to be placed on the consent calendar.

- 2.5.4 One vote is sufficient to remove a motion from the consent calendar. A member requesting removal of an item from the consent calendar should make their intention known to the committee chair and motion maker prior to the commencement of the Board meeting so that information questions are answered ahead of the meeting.

Section 3 – Committees

- 3.1 All motions, except those designated for the full Board, will be referred by the President to the appropriate committee chair for consideration. Committee chairs have a responsibility to read motions assigned to their committee, respond to the motion maker and process the motions in a timely fashion.
- 3.2 Committee chairs should publish their electronic meeting schedule to the full board at least 3 days prior to such meetings and include an agenda of motions to be considered at the meeting. Board members who wish to express opinions on specific motions should endeavor to attend the committee meeting. If a Board member is unable to attend, he should let his position be known to the committee chair in writing before the committee meeting.
- 3.3 Once the Committee vote has been taken on a motion the Committee Chair should complete a committee decision form which records any amendments, committee recommendation, the vote and the arguments in favor and against the motion. This form should be completed quickly after the meeting and posted to the electronic Journal.
- 3.4 The chair of a committee or his designee is responsible for presenting his committee's motions to the Board as a whole for consideration or vote.
- 3.5 When bringing a committee motion before the full Board, committee chairs should have available the following information: current policy, alternatives considered, objectives to be accomplished, discussion and financial impact.
- 3.6 The Board shall act upon each committee's report, which shall include a recommendation on each motion assigned to it for consideration. After the committee chair presents a motion, Board members should only ask informational questions before the debate on the pros and cons. Debate should not be repetitive or argumentative.
- 3.7 No motion which has been substantively changed from its presentation in the Journal may be voted on by the Board until Board members have electronically received a copy of the revised and/or amended motion.
- 3.7.1 No motion or proposed amendments to motions may be substantively changed from the presentation in the Journal. However, an amendment that is not in conflict with the spirit of the original motion submitted, and yet still relevant to it, is in order. The ACBL President, chair of the appropriate committee and In-House Counsel will make the determination as to whether or not a revised motion or proposed amendment is, in fact, a new concept that would require a new motion to be submitted to the Journal at a subsequent meeting.

3.7.2 If it is determined that the proposed motion or amendment is in order, no vote will be taken until Board members have been presented with an electronic or written copy of the revised and/or amended motion.

3.8 Motions from Board members may be withdrawn by the maker(s) at any time prior to presentation to the full Board. Motions may be withdrawn after presentation to the full Board with the consent of a majority of the Board.

3.9 Other duties of chairs may be assigned by the ACBL President or his designee.

Effective January 1, 2020

Carried Nay: 1

Item: 193-48: Codification Changes to Align Zone 2 with NABF Bylaws

Codification Chapter VII – International Bridge, A. Zone 2 National Bridge Organizations (NBOs) is amended as follows:

Section 1 – Zone 2 International Regulations

- 1.1 The authority for selecting and subsidizing bridge players who represent the United States, Canada and Mexico in international bridge competition rests solely with the following NBOs: United States Bridge Federation (USBF), Canadian Bridge Federation (CBF) and Federación Mexicana de Bridge (FMB), respectively.
- 1.2 The ACBL recognizes the North American Bridge Federation (NABF) as the Zonal Conference (Authority) for Zone 2, which consists of the following National Federations for international WBF play:
 - a. USBF
 - b. CBF
 - c. FMB
- 1.3 The BBF competes through Zone 5 as the ACBL has approved BBF's request to compete internationally as a member of WBF Zone 5 while maintaining ACBL affiliation as Unit 198 in District 2.
- 1.4 The Virgin Islands Bridge Federation competes through Zone 5 as the ACBL approved its request to become an NBO of the WBF as a member of Zone 5 while maintaining an ACBL affiliation.
- 1.5 The authority to approve a player and NPC from Canada, Mexico and the US participating in World Bridge Federation or other international competition is delegated to the CBF, FMB and USBF, respectively. The ACBL recommends that a player may be approved only if the player meets all Zonal Conference requirements as well as National Federation requirements.
- 1.6 The ACBL strongly recommends that no player who has been expelled from the ACBL for cheating, or resigned from the ACBL to avoid possible disciplinary action on charges of cheating, be permitted to represent any NBO belonging to Zone 2 of the WBF for at least ten (10) years following readmission.
- 1.7 A summary of disciplinary action(s) previously made public is available upon request to NBO governing bodies.

1.8 The authority for selecting and subsidizing athletes who represent an ACBL country in international bridge competition rests with that country's NBO.

Section 2 – NBO Events

- 2.1 The BBF, CBF, the FMB and the USBF may each hold an annual ACBL- sanctioned, National Championship in each of the following categories:
- a. Open team
 - b. Women's team
 - c. Senior team
 - d. Mixed team
 - e. Open pairs
 - f. Women's pairs
 - g. Junior teams
- 2.1.1 The national finals shall be Regional-rated (Regional-rated red and gold points unless otherwise indicated in the ACBL Masterpoint Plan). Qualification events, if any, shall be Sectional rated (black points).
- 2.1.2 Sanction fees shall be as follows: (a) the then-current Regional sanction fee for the national finals and (b) \$1.00US per table per session for any stage of the championship conducted prior to the national final.
- 2.1.3 If the national finals of any of the championships listed above are not held concurrent with an ACBL Regional or Sectional tournament, each NBO may conduct ACBL-sanctioned Sectional-rated black point events concurrent with the national finals. The sanction fee for such an event(s) is \$1.00US per table per session.
- 2.1.4 The National Federation is responsible for applying for the sanction through and reporting the results to the ACBL Tournament Department.
- 2.1.5 The championship may be flighted by ACBL masterpoints.
- 2.2 Each National Federation in WBF Zone 2 may conduct an ACBL-sanctioned event (Trials) to qualify a team or teams to represent the Federation's country at a World Bridge Federation or Olympic Championship in an appropriate category such as Open, Senior, Mixed, Junior, or Women, etc.
- 2.2.1 The sanction fee for any such event is \$2US per entered team except that such fee is waived for Junior Trials.
- 2.2.2 The masterpoint award is determined by the ACBL Board of Directors.
- 2.2.3 Should a National Championship as provided in subsection 2.1 above be used to determine the National Federation's representative, fees set out above in subsection 2.1.2 shall not apply. The fees and masterpoint award in accordance with subsection 2.2.1 will apply.

2.2.4 The National Federation is responsible for applying for the sanction through and reporting the results to the ACBL Tournament Department.

2.3 Upon request, the ACBL will sanction one Regional per year to the ACBL District of the USBF and/or the CBF's choice.

See Appendix 7-A *Masterpoints for WBF Events*

Section 3 – WBF

3.1 **WBF Dues.** The USBF, CBF and FMB, and not the ACBL, are responsible for the payment of any membership dues to the WBF. In order to ease the transition of the payment of WBF dues to the NBOs, the ACBL will make the following additional contributions to the NBOs to support international bridge:

	USBF	CBF	FMB
2018	100,000	16,000	250
2019	80,000	14,000	200
2020	60,000	12,000	150
2021 and thereafter	40,000	10,000	100

Section 4 - Miscellaneous

4.1 The ACBL requests that each Zone 2 NBO establish an appropriate dress code for teams representing that NBO in international competition.

4.2 The ACBL expresses its disapproval of all non-bridge related public statements and demonstrations by any Zone 2 National Federation representative participating in an international bridge competition.

4.3 The ACBL requests that the National Federations in the jurisdiction of Zone 2 adopt regulations disallowing such public statements and demonstrations.

4.4 At the sole discretion of ACBL management, dues to or donations for an ACBL NBO can be placed on the ACBL membership and renewal form.

4.5 The ACBL will sponsor a WBF Management Meeting to be held at the 2019 San Francisco NABC. The ACBL shall provide up to 50 room nights including one junior suite for up to five nights; light refreshments during the meetings; up to four lunches for ten people during the meetings; and appropriate meeting space for up to four days. The expenditure for hotel rooms, food and beverage shall not exceed \$10,000 and will come from funds raised by the ACBL for the NABF.

See also Ch. I – Membership, J. ACBL Bridge Federations.

Effective date of adoption
Carried Nay: 24

Item: 193-49: Zone 2 Representative and NABF Board Members

The Codification Chapter VII – International Bridge, B. WBF Representatives is amended as follows:

B. WBF ZONE 2 REPRESENTATIVE AND NABF BOARD MEMBERS

Section 1 – Policy Regarding WBF Zone 2 Representative and NABF Board Members

- 1.1 The ACBL nominee to serve as a representative of Zone 2 to the WBF and the two ACBL appointees to the board of the NABF need not be members of the ACBL Board of Directors.
- 1.2 A written report shall be provided within 60 days of the conclusion of an NABF or WBF meeting to the ACBL Board of Directors from the ACBL Zone 2 Representative to the WBF and the ACBL appointees to the NABF board. This report shall include but not be limited to the following information:
 - a. Any actions by the WBF or the NABF regarding World or Zone 2 bridge that have transpired since the last meeting of the ACBL Board.
 - b. The agenda or any actions expected to come before the WBF or the NABF prior to the next meeting of the ACBL Board.
 - c. Financial information such as budgets, operating statements and balance sheets, including explanations of unusual expenses.
 - d. The assignments that ACBL representatives or appointees have in the WBF or the NABF, respectively.
 - e. Any compensation, reimbursement or benefits from the WBF or the NABF to any ACBL Board of Directors member.

Section 2 – Election of the Nominee for Zone 2 Representative and Two NABF Board Appointees

- 2.1 One person shall be nominated to the NABF for the one Zone 2 Representative to WBF Executive Council position that has been allotted to the ACBL. If only one candidate is presented to the ACBL Board of Directors for nomination, that person shall be deemed the nominee to the NABF as the ACBL-allotted Zone 2 Representative. If more than one candidate is presented for nomination, the ACBL Board will nominate one person to the NABF using an election procedure as follows:
 - a. Each member of the ACBL Board casts one vote. The candidate receiving the highest number of votes shall be nominated to the NABF Board to be the ACBL-allotted Zone 2 Representative.
 - b. If two candidates appear on the initial ballot and are tied, the person shall be chosen by coin flip.

- c. If three or more candidates appear on the initial ballot and two or more candidates are tied for the highest number of votes, all of the remaining candidates will be eliminated and another vote will be taken. If the candidates remain tied on the second ballot, the person shall be chosen by coin flip.

2.2 Two NABF board members will be appointed by the ACBL Board of Directors using an election procedure. The election procedure will be as follows:

- a. Each member of the ACBL Board casts one vote. The two candidates receiving the highest number of votes shall be appointed to the NABF board (and if only two candidates are initially presented to the ACBL Board of Directors, those two persons shall be deemed the appointees).
- b. If three or more candidates appear on the initial ballot and two or more candidates are tied for the highest or second highest number of votes, the remaining candidates are eliminated (or elected, if that candidate received the highest number of votes) and another vote is taken. If the candidates remain tied on the second ballot, the person shall be chosen by coin flip.

Effective: Date of adoption

Carried Nay: 13 Abstain: 22

Item 193-50: Unfair Incentives

Codification Chapter XIII – General Tournament Information, A. General Section 2 – Miscellaneous Sub section is amended as follows:

- 2.3 ACBL tournaments (not including STaCs) may not offer discounts, perks or amenities to players classified by affiliation with a particular District, Unit, or club to attend that tournament instead of a contemporaneous tournament or club-sponsored event without written permission of the District President or Unit President or Club Manager affected. Discounts, perks or amenities offered generally to players classified in other ways (e.g., by rank, MP holding) are permitted.

Effective January 1, 2020

Carried Nay: 13, 17, 25 Abstain: 7

BRIDGE COMMITTEE

Carman (C)

Bagley, Bertoni, C. Jones, Kovacich, Levy, J. Smith, W. Smith, Subeck Staff: Weinstein, Metcalf
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As reported by Committee Chair

Item 193-32: Club Appreciation Games

All Club Appreciation games currently scheduled for October are allowed to run the first 15 days of November as well.

Effective date: October 2020

Carried Abstain: 7 Absent: 24

Item 193-20: Senior Players

Codification Chapter XIII – General Tournament information, F. Events, Section 1 – Tournament Events and Restrictions shall is amended as follows:

1.1.3 Age

d. Senior (born prior to January 1, 1959 or grandfathered in)

- 1) Whenever the age limit for participation in Senior events is changed by action of the ACBL Board of Directors, any members who qualified as Seniors before the effective date of the age change shall be grandfathered in and continue to be considered as Seniors after that date, even if their age no longer qualifies for the new Senior definition. Note: This motion does not affect Super Seniors

Effective January 1, 2020

Carried Nay: 10, 12, 24 Abstain: 2

Item 193-24: All Team Events except Knockout and Board-a-Match

Codification Chapter XIII – General Tournament Information, Appendix 13.B Masterpoint Computations

An additional factor, up to a maximum of 1, is applied to the applicable Masterpoint formula, of -- Number of boards played in the event, divided by 24 times the number of sessions in the event.

Effective immediately ***Note: This may require 2 readings!**

Deferred to 2020 Spring Columbus, OH

Deferral carried

Item 193-22: Award for Round Robin Qualifying **Second Reading Required**

On page 17 of the Masterpoint Book under Section B dealing with KO/Bracketed Teams (Soloway Format), is amended to read

When a Round Robin is played to qualify four teams to KO finals:

5-6 Teams Pays 2 places (GOLD) 3rd receives 20% of 1st 1/3 Gold and 2/3 Red, pigmentation rules notwithstanding 4th receives 10% of 1st (RED)
7-8 Teams Pays 3 places (GOLD) 4th receives 20% of 1st (RED)
9+ Teams Pays 4 places (GOLD)

Note: For Gold awards - Section 4 of pigmentation of awards rules do apply except as noted above.

Also, a 4 team single bracket KO is allowed as a 2-session event. It will pay only 1st place at 50% of the award calculated by the KO formula with a bracket size adjustment factor of .520

Effective January 1, 2020
Carried Nay: 5, 7, 13

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The Hall of Fame has requested that they be allowed to appoint two members for the Blackwood award. The ACBL Board of Directors approved.

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The Board convened into executive session for the rest of the afternoon.

Litigation Report

The report on the status of litigation is received. (Attachment A)

* * * * *

The meeting was called to order by President Russ Jones on Friday, November 29, 2019 at 9:00 a.m.

Present: Same as Thursday, November 26, Including David Moss, D24
Absent: Jay Whipple, D9

Also Present: Same as Thursday, November 26

The ACBL Board of Directors adjourned its meeting and reconvened as the ACBL Charity Foundation Membership meeting.

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ACBL Charity Foundation Membership Meeting

The membership meeting of the ACBL Charity Foundation convened.

The meeting was called to order by President Nancy Strohmer.

The Treasurer's report was received. (See ACBL Charity Foundation minutes)

Russ Jones, Peter Peng, Jerry Thorpe and Jackie Zayac declared their candidacies for Trustee. By secret ballot Russ Jones and Jackie Zayac were elected to serve four-year terms, January 1, 2020 through December 31, 2023.

Georgia Heth resigned her position as a trustee of the ACBL Charity Foundation.

By secret ballot Jackie Zayac was elected to serve the remainder of Georgia Heth's term which ends December 31, 2019.

The ACBL Charity Foundation meeting was adjourned and the ACBL Board of Directors reconvened.

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Georgia Heth announced she has resigned her position as a NABF Board member.

AJ Stephani was appointed to fulfill the term until an election can be held during the Columbus, OH 2020 Spring meeting.

Carried Nay: 9,23

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ACBL Management Report

The report of Executive Director Joe Jones is received. (Attachment B)

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The board convened into executive session at 10:00 a.m.

The board reconvened into full board at 11:35 a.m.

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Executive Director Contract

A new subsection 5.5.19 be added to Codification Chapter II – Business Management, B. Employees and Consultants, Section 5 – Executive Director Succession Plan, 5.5 Responsibilities of the Search Committee:

- 5.5.19 A discussion and vote of the full board is required to initiate or amend an Executive Director contract to allow more than 18 months of severance pay or to omit performance based or for-cause termination clauses. Neither the Executive Committee nor any other committee of the Board of Directors is authorized to act in the stead of the Board of Directors with respect to such matters.

Deferred to Spring 2020 in Columbus, OH
Deferral carried

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Closing Remarks

It was moved by Al Levy and carried unanimously that the Board expresses its thanks to District 21 and its units, District Director Jackie Zayac and Tournament Chair Jim Leuker and all of the other chairpersons and numerous volunteers. We also wish to thank Marriott Marquis, San Francisco, CA for its fine cooperation.

The Board adjourned sine die at 11:45 a.m.