

**ACBL Board of Directors
Online meeting via GoToWebinar
March 16 – 20, 2020**

The meeting was called to order by President Georgia Heth on Monday March 16, 2020 at 1:00 p.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, Jeff Overby #9, Ned Irving #10, AJ Stephani #11, Dennis Carman #12, Suzi Subeck #13, Sharon Anderson #14, Warren Smith #15, Paul Cuneo #16, Cindy Shoemaker #17, Claire Jones #18, Julie Smith #19, Laurie Rowe #20, Jackie Zayac #21, David Lodge #22, Kevin Lane #23, David Moss #24 and Bob Bertoni #25

Also Present: Richard Popper, Chairman Board of Governors, Joe Jones, Executive Director, Linda Dunn, and Kelley Trejo, Secretary.

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The Board of Directors convened into executive session at 3:00 p.m.

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The Board of Directors reconvened into full board at 4:05 p.m.

Item 201-72: Hall of Fame Committee Appointments

Neil Chambers, Mitch Dunitz and Eddie Wold are appointed for a three-year term from the end of the March 30, 2020 through the end of the Spring March 2023 NABC.

Carried
Effective March 30, 2020

Item 201-73: Competitions & Conventions Committee Appointment

Jeff Goldsmith is appointed for a one-year term from the end of t the March 30, 2020 through the end of the Spring March 2023 NABC.

Carried
Effective March 30, 2020

Chris Compton and Sabine Auken are appointed for a three-year term from the end of the March 30, 2020 through the end of the Spring March 2023 NABC.

Carried
Effective March 30, 2020

Item 201-74: Ethical Oversight Committee Appointment

Cheri Bjerkan, Dennis Clerkin, John Fout, Bob Glasson and Kevin Wilson are appointed for a three-year term from the end of the March 30, 2020 through the end of the Spring March 2023 NABC.

Carried
Effective March 30, 2020

Item 201-75: ACBL Disciplinary Committee Appointment

Lisa Berkowitz, Nagy Kamel, Tom Peters and VACANT (TBD by Disciplinary Committee at a later date)are appointed for a three-year term from the March 30, 2020 through the end of the Spring March 2023 NABC.

Carried
Effective March 30, 2020

Item 201-76: ACBL Laws Commission Appointment

Chris Compton, Adam Wildawsky and Ron Gerard are appointed for a five-year term from the March 30, 2020 through the end of the Spring March 2023 NABC.

Carried
Effective March 30, 2020

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Consent Calendar

- Item 201-03: Allow EOC Members To Discuss Cases With Other EOC Members.
- Item 201-04: Exclusion
- Item 201-06: ACBL Not Law Enforcement
- Item 201-45: Transfer of Members in Mercer County from D11 Unit 227 to D6 Unit 231
- Item 201-46: Board Oversight Committee
- Item 201-62: -2500 B/C Two Day National Pairs Event

Carried Nay: 1

Item 201-48: Communication between Board of Governors and Membership

ACBL Bylaws Article IX Board of Governors, Section 9.2 are amended as follows:

9.2 Duties. In furtherance of these purposes, the duties of the Board of Governors are:

- 9.2.1 To review the resolutions voted on by the Board of Directors.
- 9.2.2 To forward selected resolutions decided by the Board of Directors back to that body for reconsideration.

- 9.2.3 To propose new or revised resolutions for consideration by the Board of Directors and receive reports from the Board of Directors on the status of such resolutions.
- 9.2.4 To initiate or ratify amendments to these Bylaws as specified in Article X.
- 9.2.5 To ratify proposed changes in the districting of the ACBL.
- 9.2.6 To recognize new ACBL Life Masters.
- 9.2.7 To gather input from District members on issues and priorities facing the District and the ACBL, and report findings from Board of Governor's meetings to District members.
- 9.2.8. To perform other duties as may be specified elsewhere in these Bylaws or as may be assigned by the Board of Directors. (See Appendix for entire Article IX text)

Effective immediately
 Carried. Nay: 5 Abstain: 1

Approval of San Francisco, CA Minutes

The Fall 2019 San Francisco, CA minutes are approved.

Carried Nay: 1 Abstain: 20

Approval of Non-Agenda Items

Item NA201-49: ACBL Board Reorganization is accepted and assigned to Governance Committee

Carried Nay: 1, 2

Item 201-70: Election of ACBL Treasurer

Claire Jones is elected as ACBL Treasurer for a one-year term May 1, 2020 through April 30, 2021.

Effective May 1, 2020

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The meeting was called to order by President Georgia Heth on Tuesday, March 17, 2020 at 3:00 p.m.

Present: Same as Monday, March 16
 Also Present: Same as Tuesday, March 16 with the addition of Peyton Dodson

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Moved by Leo Weniger and seconded by Brian Ellis, that the virtual meetings be canceled.

Motion Failed
 Carried Aye: 1, 5

FINANCE COMMITTEE

Glasson (C), Muñoz (V)
Bertoni, Jones, Lane, Lodge, W. Smith

Staff : Dodson

As reported by Committee Chair

Item 201-30: 2020 Operating and Capital Budget

The 2020 operating budget is approved.

Effective immediately
Carried Nay: 1

The 2020 capital budget is approved.

Effective immediately
Carried unanimously

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The meeting was called to order by President Georgia Heth on Wednesday, March 18, 2020 at 12:00 p.m.

Present: Same as Monday, March 16
Also Present: Same as Tuesday, March 16

GOVERNANCE BOARD OPERATIONS COMMITTEE

Hennings (C), Kovacich (VC)
Anderson, Cuneo, Glasson, Irving, Janicki, Lane,
Lodge, Overby, Shoemaker, Stephani, Zayac, Popper

Staff: Dunn

As reported by Committee Chair

Item 201-45: Transfer of Members in Mercer County from D11 Unit 227 to D6 Unit 231

Members in Mercer County, West Virginia including zip codes 24701, 24712, 24714, 24715, 24724, 24729, 24731, 24732, 24733, 24736, 24737, 24738, 24739, 24740, 24747, 24751, 25820, 25841, 25922 and 25971 be transferred from unit 227 in district 11 to unit 231 in district 6.

Effective April 1, 2020
Carried unanimously

Item 201-46: Board Oversight Committee

Codification Chapter IV – Board Procedures, A.- Administration, Section 5 – ACBL Board of Directors Behavioral Code 5.3 and 5.3.1 are amended as follows.

5.3 The Board Oversight Committee will consist of three members: the current Chair of the Board as the committee chair and the two most immediate past Board Presidents currently serving on the Board. If there are not any or a sufficient number of past Presidents currently serving on the Board, then the Board member(s) with the longest tenure will serve. Should there be more than one member equally eligible to fill any vacancy, the decision will be made by coin toss.

5.3.1 If any member of the committee is ineligible to serve because he is the subject of the complaint, or he recused himself or is otherwise disqualified, then temporary members will be added to the committee. Past Presidents currently serving on the Board, if any, will be added as members, and if there is an insufficient number of past Presidents or they are all presently serving on the committee, then the Board member(s) with the longest tenure will fill any vacancy(s). Should there be more than one member equally eligible to fill any vacancy, the decision will be made by a coin toss.

Effective immediate
Carried Nay: 1

Item 201-49: ACBL Board Reorganization

The following plan, “ACBL Board of Directors Reorganization Plan - Columbus 2020,” is adopted.

ACBL Board of Directors Reorganization Plan - Columbus 2020

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		5,422	7,944		13,366
2	24	25		5,023	7,716		12,739
3	3	4		5,889	6,037		11,926
4	5	6		3,001	6,854		9,855
5	12	13	14	3,862	4,566	3,756	12,184
6	7			13,700			13,700
7	8	10	11	2,574	6,370	4,190	13,134

8	9			20,514			20,514
9	15	16		3,055	8,584		11,639
10	17			9,325			9,325
11	22	23		6,595	3,193		9,788
12	20	21		3,670	8,411		12,081
13	18	19		3,952	6,562		10,514

3. The transition to 13 members will begin during the election cycle beginning in 2021, *i.e.*, for terms beginning 1/1/2022. At that time, the following eight Regions will have elections for the office of Regional Director (RD), the terms of which will begin on 1/1/2022: 1, 2, 4, 5, 6, 9, 11, 13.

- a. The RD from Region 5 will serve an initial 4-year term (2022-25).
- b. Three other RDs (excluding the RD from Region 6, who will serve an initial three-year term from 2022-24) will be randomly selected (by ~~Kelley~~ the Executive Secretary and ~~Joe~~ the Executive Director) from this group to serve an initial four-year term (2022-25).

4. Elections for the following four Regions will occur in 2022, with terms beginning on 1/1/2023: 7, 8, 10, 12. These RDs will serve an initial 4-year term (2023-26).
5. An election for Region 3 will occur in 2023, with an initial 3-year term beginning on 1/1/2024 (2024-26).
6. Once the initial election term for a Region is concluded (note staggered initial election terms set out in #3-5 above), 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, including the basic three-year term as well as four-year initial terms for some Regional Directors due to Board restructuring in 2020). Terms on the Board of Directors in any capacity served or started prior to January 1, 2019 shall not be counted towards the four consecutive term limit.
10. If a DD either runs for the position of RD and is unsuccessful or elects not to run, that 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 2021 and District Director Y's term expires in 2022. An election will be held in the third quarter of 2021 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. If either District Director X or District Director Y runs and wins, he/she will serve an initial term as specified above 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 RD 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 terms and conditions on a case-by-case basis as the need arises.
13. If a RD is unable to attend a meeting, no substitutes or proxies will be permitted.
14. The positions of First and Second Alternate District Director will cease to exist as of 1/1/2022. 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. 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.
17. A Transition Task Force will ~~be created~~ continue 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. The goal is to transfer non-core functions and decisions 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).

APPENDIX A

[Click here \(final redlined copy\)](#)

[Click here \(Final copy\)](#)

Effective immediately pending second reading

Carried Nay: 1, 2, 5, 13 Abstain: 25

* * * * *

The meeting was called to order by President Georgia Heth on Thursday, March 19, 2020 at 12:00 p.m

Present: Same as Wednesday, March 18
Also Present: Same as Wednesday, March 18

Procedural Motion

Any motion concerning any issue that has been or will be affected by the coronavirus problem will be automatically placed on the agenda without any need to be approved as a non-agenda item.

Effective immediately
Carried unanimously

Item 201-78: Election of NABF Position

AJ Stephani is elected as ACBL Representative to the NABF, term ending December 31, 2021.

Effective immediately

Item 201-71: Executive Committee Minutes

The minutes of the Executive Committee meeting held on December 12, 2019 and January 8, 2020 in executive session are received and ratified.

TRANSITION TASKFORCE COMMITTEE

Lane (C), Overby (VC)
Subeck, Gaynor*, Moese*, Hennings**, Kovacich** Staff: Dodson/Dunn

As reported by Committee Chair

The oral report of Committee Chair is received.

APPEALS & CHARGES COMMITTEE

Stephani (C), Overby (VC)
Carman, Hennings, Janicki, J. Smith, Zayac Staff: Gordon

As reported by Committee Chair

Item 201-01: Report on Hearing

In re Judy Nassar:

The Committee found that Ms. Nassar did not appeal the decision of the District 14 Appellate Committee, and thus the parameters of its review was limited to the Automatic Suspension handed down by management (and already served by Ms. Nassar).

The Committee upheld Management's actions under CDR § 4.2.1. The Committee did not impose any additional discipline.

Carried Abstain: 1, 14

Item 201-02: CDR Attorney as Advocate

The CDR are amended as follows:

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.

5.2.3 *Charged Party's Rights.* A person charged with one of the grounds for discipline set forth in CDR 3 shall be entitled to:

- a. Receive written notice of the date, time, and place of the hearing. Even if a person admits to a Charge, unless pursuant to a Negotiated Resolution (as set forth in CDR 5.2.14), a hearing shall nevertheless be held to determine and impose appropriate discipline.
- b. Be furnished with a written statement of the Charges, the Complaint upon which the Charges are based (or a summary of the facts of such Complaint), and the name of the Complainant.
- c. Be represented at the hearing by another person who shall not be a member of the ACBL Board of Directors.
- d. Produce evidence and make statements on his/her own behalf.
- e. Be present during the entire hearing, except during procedural determinations and deliberation on verdicts and imposition of discipline.
- f. Question persons testifying. The chairperson may restrict this right if abused.

5.3.6 *Charged Party's Rights.* A person charged with one of the grounds for discipline set forth in CDR 3 shall be entitled to:

- (a) Receive written notice of date, time and place of the hearing. Should a person admit to a Charge, a hearing shall nevertheless be held to determine and impose appropriate discipline.

- (b) Be furnished with a written statement of the Charges, the Complaint upon which the Charges are based (or a summary of the facts of such Complaint), and the name of the Complainant.
- (c) Be represented at the hearing by another person who shall not be a member of the ACBL Board of Directors.

7.4.5 *Rights of Parties to the Appeal or Automatic Review.* Each party to an appeal or Automatic Review under this CDR 7 shall be entitled to:

- a. Receive written notice of date, time and place of the appeals hearing.
- b. Be sent prior to the hearing a copy of the written appeal and all supporting documents submitted by the appellant, any other information submitted in a timely manner to the appellate body by any party to the appeal, all information included in the record from any previous Disciplinary Body that has heard the case, and any other information upon the instruction of the appellate body chairperson.
- (c) Be represented at the hearing by another person who shall not be a member of the ACBL Board of Directors
- (d) Make statements on his behalf.
- (e) Be present during the entire hearing, except during procedural determinations and deliberation on verdicts and sentencing. Presence at the hearing may be in person or via telephone, teleconference, Skype or any other similar means where all participants may hear and/or see one another.
- (f) Question persons testifying. The chairperson may restrict this right if abused.
- (g) Be heard by a committee of at least three persons.

Appendix A

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. The Advocate selected to appear at the hearing must not be a member of the ACBL Board of Directors.

IV. PRE-HEARING PROCEDURES

A. Notification of Parties is Required

The parties involved, including the Charging Party and Charged Party, must receive timely written notice of the date, time and place of the hearing, be furnished with written Charges, and be advised of their right to be represented. If time permits, in most cases thirty-day's prior notice is recommended (at least one day's notice at a tournament). The representative selected to appear at the hearing may not be a member of the ACBL Board of Directors.

Effective date: May 1, 2020
Carried Nay: 1, 21

Item 201-03: Allow EOC Members To Discuss Cases With Other EOC Members.

Section 3. Grounds for Discipline, Other than administrative suspension, under this CDR are amended as follows.

- 3.22 Discussion or dissemination of the content of a disciplinary hearing, other than information released to the public pursuant to ACBL Regulations, outside the hearing room by a Disciplinary Body member with any party (whether a party to the hearing or not). However, members of the Ethical Oversight Committee may discuss cases with other Ethical Oversight Committee members after public release of a decision has taken place.

Appendix A – III The Disciplinary Body C – Comments Regarding Hearing by Members of a Disciplinary Body

(3) Comments Made Post-Hearing

Once the committee has rendered a decision which has been communicated to the parties and other notifications have been distributed pursuant to the CDR, the committee members may relate the finding of guilty or not guilty and the discipline imposed only to the extent such information is released publicly by other means. *A committee member may not discuss anything related to the committee's deliberations.* This restriction precludes, among other things, conversations with other members of the Disciplinary Body who did not hear the matter as well as posting on website blogs. Failure to follow these restrictions may lead to Charges against the member of the Disciplinary Body.

Notwithstanding, a member of the Ethical Oversight Committee may discuss a case with other EOC members after the decision has been released. This is to ensure consistency in discipline assigned. (See CDR 3.22.) _

Effective January 1, 2021
Carried unanimously

Item 201-04: Exclusion

The Code of Disciplinary Regulations are amended as follows:

4.2.1 *Policy.* A person upon whom discipline (other than a Reprimand) has been imposed twice in accordance with CDR 4.1 within a twenty-four (24) month period shall be automatically placed on Probation for two (2) years (“Automatic Probation”) by ACBL Management. Such automatic

discipline imposed because of multiple offenses shall be consecutive to the imposition of the original discipline.

A violation of such Automatic Probation shall result in automatic Suspension for sixty (60) days (“Automatic Suspension”) by ACBL Management (which shall suspend any Probation until such Suspension has been served) plus such additional disciplines, up to and including Expulsion, as may be determined by the Appeals and Charges Committee. At the meeting of the Appeals and Charges Committee to determine such additional discipline, if any, the Disciplined Person is entitled to be present (i) in person, (ii) through a qualified representative or (iii) by telephone to discuss the case. Such Automatic Suspension imposed because of violation of the Automatic Probation shall be consecutive to the imposition of the original discipline, except that any Probation must be served following all Suspensions. (See also CDR 5.1.15.)

Effective immediate
Carried unanimously

Item 201-05: Negotiated Resolution

5.2.14 *Negotiated Resolution of a Charge.*

General Procedures for Conduct of Hearings by Disciplinary Bodies of Original Jurisdiction in Section 5 of this CDR do not apply unless otherwise noted in this section.

Disciplinary Body. The Charging Party and the Charged Party must present a Negotiated Resolution to:

- (a) the Appeals and Charges Committee if the Ethical Oversight Committee would have heard the Charges absent such Negotiated Resolution, or if the charge was a First Degree Ethical Violation.
- (b) the Disciplinary Body which would have heard the Charges absent such Negotiated Resolution (except for 5.2.14 (a)).

Policy. This resolution must (i) dispose of all pending Charges against the Charged Party, and (ii) include the complete parameters of the discipline to be imposed, and (iii) include the Charging Party and the Charged Party waiving all its rights to appeal, both administratively and through arbitration or the courts. This resolution may also include a requirement that the Charged Party testify against any other Charged Party, if any, and/or may consist of a dismissal of all charges. This resolution may include discipline outside the parameters listed in CDR 4.

Standard of Review. The Disciplinary Body reviewing the Negotiated Resolution may, and is encouraged to, conduct its review by telephone or video conference call. The Disciplinary Body may (i) request written statements, (ii) review all related documents on file at the time of the Negotiated Resolution, and (iii) review the Charged Party’s previous disciplinary record upon request.

Standard of Acceptance. When deliberating on whether accept the Negotiated Resolution, the Disciplinary Body must consider the benefit to the ACBL of the certainty of conviction and the waiver of all appeal rights by the

Charged Party and Charging Party-

Rejection of Negotiated Resolution. If a Negotiated Resolution is rejected by the Appeals and Charges Committee, the Charges shall be heard by the Ethical Oversight Committee which would have heard the Charges absent such Negotiated Resolution. If a Negotiated Resolution is rejected by a Disciplinary Body, the same Body may hear the Charges.

Disciplinary Bodies Right to Participate in Negotiation. The Disciplinary Body may provide a reason for rejection or a condition for acceptance. Each party will have the right to review the condition for acceptance and choose to accept or reject within ten days of being notified.

Challenging Committee Members for Cause. There shall be no automatic challenges to the members of any Disciplinary Body. There may be challenges for Cause, such as bias, upon good cause shown (not merely alleged). In such cases, the balance of the committee members shall decide the validity of the challenge. A majority vote of such remaining members is required to remove a member for Cause.

Hearing Report Required. The Disciplinary Body must send to ACBL headquarters a fully typed Hearing Report and a copy of its written decision, if any is produced in writing, within thirty (30) days from the conclusion of the review.

Effective date:

Carried Nay: 13

Item 201-06: ACBL Not Law Enforcement

The CDR are amended as follows:

3. GROUNDS FOR DISCIPLINE, OTHER THAN ADMINISTRATIVE SUSPENSION, UNDER THIS CDR

3.1 Violation of Laws of Duplicate Bridge.

Effective immediately

Carried unanimously

Item 201-07: Grounds for Discipline, other than Administrative Suspension, under this CDR

The Code of Disciplinary Regulation are amended as follows:

Definitions

Ethical Violations

Conduct specified in § 3.20. In general, ethical violations are actions (other than those permitted by the Laws or other ACBL regulations) that are likely to have a material impact on the outcome of a bridge competition.

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:

...

- (e) Persons participating in a club sponsored ACBL sanctioned event held within the District’s geographical boundaries relating to Complaints of alleged Second or Third Degree Ethical Violations as set out in § 3.20(2)-(3).

2.1.3 *ACBL Jurisdiction.* The ACBL (acting through the Board of Directors or ACBL Management) has jurisdiction over:

...

- (f) Alleged violations of CDR 3.23, 3.24, 3.25, 3.26, and 3.27.
- (g) Alleged First Degree Ethical Violations as set out in § 3.20(1).
- (h) Alleged Ethical Violations Not Otherwise Specified as set out in § 3.20.1.

2.2 ORIGINAL VS. APPELLATE JURISDICTION OF DISTRICT DISCIPLINARY BODIES

...

2.2.2 *Original/ Appellate Jurisdiction of Districts*

- (a) Districts shall have original jurisdiction in the following cases:
 - (1) Cases involving Charges, not including an alleged First Degree Ethical Violations as set out in § 3.20(1), against a person arising from that person’s participation in an ACBL sanctioned event or other activity sponsored by the District.

...

2.2.6 *Original Jurisdiction of the Ethical Oversight Committee.*

...

- (b) The Ethical Oversight Committee shall, upon Charges being brought by ACBL Management, hear original cases of alleged First Degree Ethical Violations as set out in § 3.20(1) and Ethical Violations Not Otherwise Specified as set out in § 3.20.1. The Ethical Oversight Committee may, at the discretion of the Charging Party, hear original cases of alleged Second or Third Degree Ethical Violations as set out in § 3.20(2)-(3).

3. GROUNDS FOR DISCIPLINE, OTHER THAN ADMINISTRATIVE SUSPENSION, UNDER THIS CDR

...

3.20 CHEATING AND OTHER ETHICAL VIOLATIONS.

3.20(1) **First Degree Ethical Violations.** The following actions constitute First Degree Ethical Violations:

3.20(1)(a) *Collusive Cheating: Signaling.* Collusive Signaling is an agreement made between two or more people, at least one of whom is a contestant, to exchange or pass information illicitly. This section includes agreements made by persons who are not partners or contestants, including, but not limited to kibitzers or teammates.

3.20(1)(b) *Collusive Cheating: Other.* Collusive Cheating is an agreement between two or more people, other than Collusive Signaling, to affect the outcome of a competition illicitly. Neither person need be a contestant to be charged under this section.

3.20(1)(c) *Theft of Hand Records.* Theft of Hand Records is the acquisition of information in any form from a hand yet to be played. This includes physical tangible hand records, digital information, wearing a wire, or any other method used to obtain information about a hand.

3.20(1)(d) *Cold Decking.* Cold Decking is the intentional dealing of cards in a manner designed to place a particular card with a specific player.

3.20(1)(e) *Marking Cards.* Marking Cards is intentionally compromising the integrity of playing cards, or taking advantage of the same, to identify a particular card. This includes changing or tampering the physical appearance of playing cards in any form, including markings or crimpings, or using methods to identify discrepancies in the playing cards such as edge-sorting.

3.20(1)(f) *Recommended Discipline.* The recommended discipline for a finding that a person has committed a First Degree Ethical Violation is 2 years Suspension to Expulsion, with an appropriate term of probation following the term of suspension, and 25-100% of the Disciplined Person's total masterpoint holding.

3.20(2) **Second Degree Ethical Violations.** The following actions constitute Second Degree Ethical Violations:

3.20(2)(a) *Score Alteration.* This includes changes made to scores or results in any form other than those obtained through bridge play at the table.

3.20(2)(b) *Submitting False Information to ACBL.* A charge under this section requires the deliberate submission of false information for the purpose of changing the outcome of a competition or event eligibility. This section requires that false information be submitted to an ACBL Official or Disciplinary Body, which do not

include ACBL sanctioned clubs. False information submitted to the ACBL for reasons unrelated to bridge competition are Administrative Violations charged under the CDR.

3.20(2)(c) *Peeking*. A charge of Peeking requires a blatant and deliberate attempt to see the opponents' cards.

3.20(2)(d) *Scoresheet Snooping*. A charge of Scoresheet Snooping requires a blatant and deliberate attempt to see the opponents' scoresheet (not including the opponents' convention card).

3.20(2)(e) *Eavesdropping*. A charge of Eavesdropping requires a blatant and deliberate attempt to obtain information about a hand from tables other than the table assigned to a player for a round.

3.20(2)(f) *Sharing Advance Information*. A charge under this section involves providing information of a hand to a player who has not yet played the hand. If the information is shared by agreement, the action should be charged as "Collusive Cheating: Signaling" under section 3.20(1)(a) or "Collusive Cheating: Other" under section 3.20(1)(b).

3.20(2)(g) *Soliciting Advance Information*. A charge under this section involves the solicitation or request of information of a hand from a player who has already played the hand. If the solicitation or request is made by agreement, the action should be charged as "Collusive Cheating: Signaling" under section 3.20(1)(a) or "Collusive Cheating: Other" under section 3.20(1)(b).

3.20(2)(h) *Concealment of Partnership Agreement*. A charge of Concealment of Partnership Agreement requires an active and deliberate non-disclosure of any partnership agreement. The agreement is not limited to conventional meanings or bids but may include tactical or "state-of-the-match" agreements between partners or teammates.

3.20(2)(i) *Dumping*. Dumping requires intentionally obtaining a poor result on a hand, losing a match or contest, or other actions designed to affect the outcome of a hand other than through bridge ability.

3.20(2)(j) *-Entering Ineligible Event*. A charge under this section requires that the player knowingly entered an event in which he was ineligible.

3.20(2)(k) *Recommended Discipline*. The recommended discipline for a finding that a person has committed a Second Degree Ethical Violation is 90 days - 2 years Suspension, with an appropriate term of probation following the term of suspension, and 0-50% of the Disciplined Person's total masterpoint holding.

3.20(3) **Third Degree Ethical Violations**. The following actions constitute Third Degree Ethical Violations:

3.20(3)(a) *Unsportsmanlike Psyching*. This includes frivolous or overly frequent psyching.

3.20(3)(b) *Using Unauthorized Information*. A charge under this section requires that the UI be revealed accidentally.

3.20(3)(c) *Clocking*. Clocking is the attempt to identify a card based upon the location of where that card is pulled from a player's hand.

3.20(3)(d) *Coffehousing*. Coffehousing is behavior having no bridge-related purpose and intended to deceive an opponent. This includes actions such as hesitating with singletons in a suit, or asking frivolous or leading questions.

3.20(3)(e) *Score Comparison*. A charge of Score Comparison is the deliberate provision of, or request for, information about a board in play after both parties have played it before the end of the session.

3.20(3)(f) *Illegal Method*. A charge of Illegal Method requires that a partnership knew of the illegality of the method before using it.

3.20(3)(g) *Contestant Influence*. A charge of Contestant Influence is an attempt to influence an opponent to enter or withdraw from an event to improve one's likelihood of success.

3.20(3)(h) *Failure to Correct Incorrect Score*. A charge of Failure to Correct Incorrect Score is the failure of any player to notify an appropriate tournament official of a score that one knows is incorrect, whether or not that score is beneficial to that player.

3.20(3)(i) *Recommended Discipline*. The recommended discipline for a finding that a person has committed a Third Degree Ethical Violation is 10-90 days Suspension, with an appropriate term of probation following the term of suspension, and 0-25% of the Disciplined Person's total masterpoint holding.

3.20.1 ETHICAL VIOLATION NOT OTHERWISE SPECIFIED. If an ethical violation not otherwise specified as indicated in § 3.20 is charged, the charge must be brought to the Ethical Oversight Committee. The discipline imposed, if any, will be commensurate with the severity of the violation at the discretion of the panel.

APPENDIX B
to Code of Disciplinary Regulations (cont.)
CHART 2: ETHICAL VIOLATIONS

§17	Playing an ACBL sanctioned event while serving a Suspension (compare to	Extension of the Suspension to twice the original term up to	10-25% of Disciplined Person's total
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	C19) (CDR 3.2 and 3.5)	Expulsion (NOTES 2 and 3)	masterpoint holding.
E18	Knowingly partnering or playing on a team with a person who is presently serving a Suspension from ACBL or who is presently expelled from ACBL (CDR 3.2, 3.7 and 3.19)	1 year Probation and/or up to 1 year Suspension	10-25% of Disciplined Person's total masterpoint holding.
E20	Attempt to influence a decision of a Disciplinary Body outside of the hearing process(es) (CDR 3.21)	Reprimand and/or up to 2 years Probation and/or up to 180 days Suspension.	0-100% of Disciplined Person's total masterpoint holding.

CHART 2: ETHICAL VIOLATIONS (cont.)

	RECOMMENDED DISCIPLINE	SUGGESTED MASTERPOINT PENALTIES
E21 Discussion of the content of the hearing, other than the committee decision, outside the hearing room by a Disciplinary Body member with any party (whether a party to the hearing or not). The committee decision includes the finding of Guilty/Not Guilty and the discipline imposed (CDR 3.22)	Reprimand and/or up to 2 years Probation and/or up to 180 days Suspension	0-10% of Disciplined Person's total masterpoint holding.
E22 Unauthorized access password protected information without permission or misrepresent identity to gain access to a website and/or electronic data (CDR 3.23)	1 year to lifetime Probation and/or up to 2 years Suspension up to Expulsion NOTE 3	0-50% of Disciplined Person's total masterpoint holding.
E23 Cyber-attacks or similar electronic disruptions, or attempts at disruptions of websites and/or electronic data systems (CDR 3.24)	1 year to lifetime Probation and/or up to 5 years Suspension up to Expulsion NOTE 3	0-25% of Disciplined Person's total masterpoint holding.

E24 Use without permission ACBL- provided member data for personal use, financial gain or harassment (CDR 3.25)	1 year to lifetime Probation and/or up to 2 years Suspension up to Expulsion NOTE 3	0-50% of Disciplined Person's total masterpoint holding.
E25 Repeated use of copyrighted ACBL material or software without permission (CDR 3.26)	1 year to lifetime Probation and/or up to 2 years Suspension up to Expulsion NOTE 3	0-25% of Disciplined Person's total masterpoint holding.

Effective date:
Carried unanimously

BRIDGE COMMITTEE	
Carman (C), Ellis (VC) Bertoni, Jones, Moss, Muñoz, Rowe, J. Smith W. Smith, Subeck, Weniger	Staff: Boyd/Weinstein

As reported by Committee Chair

Item 201-20: Barry Crane Tribute

Eliminate the 35,000 point recognition and replace it with 35,135.8 which is the exact amount that Barry Crane achieved at the time of his death.

Effective immediately
Deferred to Summer 2020 in Montreal, QC
Deferral carried

Item 201-21: Unit and Club Teacher Recommendations

The ~~NABC~~ ACBL establish procedures to:

- Enable Teaching Clubs and Unit Boards to recommend teachers who teach at clubs or bridge centers to teach beginner bridge classes.
- Record these recommendations for all members in good standing.
- List teachers and the beginner classes they teach on the trybridge.org website under “find a teacher” or “find a class” searches by zip code, city or state.
- Encourage Club and Unit recommended teachers to engage their peers to develop best practices, teaching materials (including teaching hands) and collaborative problem solving.

Effective immediate
Deferred to Summer 2020 in Montreal, QC
Deferral carried

Item 201-22: Teaching Clubs Centers

The ACBL will establish procedures for designating Teaching Clubs and Centers:

- Teaching Clubs and Centers shall apply to the ACBL for their designation by providing a 1-year calendar showing class, play, social, and duplicate offerings.
- The designation shall require annual renewal based on updated information.
- Teachers, Clubs, and Centers shall be responsible for keeping the class offerings up to date. Outdated information will be removed from tryrbridge.org. Failure to update information will cause the loss of the Teaching Club/Center designation.
- A list of Teaching Clubs and Centers will be made available to new prospects in response to their search for how to learn bridge.

The ACBL may limit the number of Teaching Clubs and Centers based on their objective performance teaching new students, attracting new players to bridge, and helping create new ACBL Members. Paid ACBL member creation and creation of (new) Guest Members are appropriate metrics for assigning these designations. Objective criteria used shall be made known to teachers, clubs, and centers.

Effective immediate

Deferred to Summer 2020 in Montreal, QC

Deferral carried

Item 201-23: Award for Round Robin Qualifying

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 immediate

Carried

Nay: 7

Abstain: 1

Item 201-24: Board Requirements for Masterpoint Limited STaC Games

Codification Chapter X – Sectionals, A. General, Section 3 – STaCs 3.7 be amended as follows:

- 3.7 In order to be eligible for overall awards in a STaC, or any event that is scored across more than one club, the minimum number of boards played is set at 20 with the exception of masterpoint limited events restricted to players with <199 masterpoints whose minimum number of boards played is set at 18.

Effective immediately

Deferred to Summer 2020 in Montreal, QC

Deferral carried

Item 201-26: Eliminate unused Club Game Ratings

Codification Chapter 1 – Membership, I. Juniors, Chapter III Administration, A. Units, Chapter V – Charity, Foundations and Special Funds, Chapter VI – Clubs Sanctioned Games are amended as follows:

CHAPTER I – MEMBERSHIP

I. JUNIORS

Section 3 – Junior Fund Games

3.1 January is designated as Junior Fund (as defined below) Month.

3.2 ~~Replace all Unit or District Charity Games with one class of fund or foundation games. There will be a maximum of four/year per Unit and four/year per District. The fee structure will be the same as special fund or foundation games at clubs.~~ Any of the four allotted sessions may be held as a Junior Fund Game, Charity Game, Educational Foundation Game, Grass Roots Fund Game or International Fund Game, except January is reserved for Junior Fund Games, April is reserved for Charity Games, May is reserved for Grass Roots Fund Games and September is reserved for International Fund Games.

CHAPTER III – ADMINISTRATION

A. UNITS

Section 2 – Unit Requirements, Privileges and Responsibilities

2.1 A Unit functions as an organization chartered by ACBL, which, in accordance with its charter, supervises and promotes many, but not all, aspects of ACBL bridge within its boundaries. It has the exclusive right to conduct all Sectionals held within its territory. In addition, it may obtain sanctions from ACBL to organize and conduct other games such as Unit Championships, Unit-wide games, Unit charity games ~~and extended team events~~, as well as club games.

CHAPTER V – CHARITY, FOUNDATIONS AND SPECIAL FUNDS

C. UNIT AND DISTRICT CHARITY GAMES

Section 1 – Unit and District Fund or Foundation Games

- 1.1 Units and Districts may hold a ~~Fund or Foundation~~ Charity game maximum of four/year per Unit and four/year per District. The fee structure will be the same as special Fund or Foundation games at clubs. Any of the four allotted sessions may be held as a ~~Junior Fund Game~~, Charity Game, ~~Educational Foundation Game~~, Grass Roots Fund Game or ~~International Fund Game~~, except that January is reserved for Junior Fund Games, April is reserved for Charity Games, May is reserved for Grass Roots Fund Games and September is reserved for International Fund Games.
- 1.2 Overall masterpoints will be awarded in District-wide Charity Games that use hand records and for which District winners are determined.

Section 2 – Special Games at Clubs

- 2.4.2 Grass Roots funds may be used to provide player stipends for attending the competition at the NABCs and encouraging attendance at ~~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. **Effective 1/1/2020.**

CHAPTER VI – CLUB SANCTIONED GAMES

B. Types of Club Masterpoint Games

Section 4 – Special Fund Games

~~4.3 Extended Team Games~~

~~4.3.1 — A Unit is entitled to hold three Sectional-rated (black points) extended team events per year. Extended is defined for this purpose as requiring at least three sessions of 24 boards each to complete. These events may be played with or without a qualifying stage, but a qualifying stage may not award overall masterpoints — only match awards. Some examples of formats for extended team play are: single-elimination KO, double-elimination KO, Swiss qualifying to either type of KO, round robin-qualifying to either type of KO, extended Swiss, extended round robin, and other types.~~

~~4.3.2 — Should a Unit wish to hold a one-day qualifying event which awards overall masterpoints and also qualifies teams into an extended event, they may use one of their Unit Championship entitlements (Unit Championship-rated) for the qualifying stage and then use an extended team sanction entitlement for the final stage.~~

~~4.3.2.1 For such a combination of stages, the number of teams in the extended event is based on the number of teams actually qualified and entered into the extended stage not the number of teams in the qualifying stage.~~

~~4.3.3—Should a Unit wish to hold an extended event with overall awards, which also qualifies teams into another extended event with its own overall awards, it may do so by using two of its extended event entitlements. Each event must meet the length requirements and the number of teams in the second event is based as outlined above.~~

Section 5 – Other Club Games

~~5.9 Bridge Plus+~~

~~5.9.1—These games provide a transition from ACBL beginning bridge classes to newcomer games conducted at ACBL-sanctioned games. They may be operated by bridge teachers, club managers or ACBL club directors. Players are encouraged to ask for advice on bidding and playing the hands.~~

~~5.9.2—A sanction is required to conduct an ACBL Bridge Plus+ game. Bridge Plus+ sanctions are issued free of session fees if all of the following conditions are met:~~

- ~~a. Only students with fewer than five masterpoints may participate in the game.~~
- ~~b. The game must consist of a minimum of six boards.~~
- ~~c. Monthly Reports must be sent to ACBL by the 10th of the month following the month in which the game was held.~~

~~The teacher who runs the game need not be a club director. The teacher/ director resolves all irregularities.~~

C. General Club Game Regulations

2.7 Club Directors at Special Events

2.7.1 Non-playing directors are encouraged but not required for games having not more than one section of 17 tables or fewer for the following special events held at clubs or units: ACBL-wide International Fund Games, ACBL-wide Charity Games, Junior Fund Games, International Fund Games, Educational Foundation Fund Games, Senior Pairs, Worldwide Pairs, ACBL-wide Instant Matchpoint Games, Membership Games, NABC Promotional Games, GNT Fund Raisers, Club Appreciation Games, STaC Games, ~~the Canadian Olympiad~~, the COPC, ~~the CNTC~~, the North American Open Pairs club and Unit qualifying stages, the Grand National Teams club ~~and Unit~~ qualifying stages, Unit Championships, and Unit Charity Championships.

D. CLUB CHAMPIONSHIPS AND SPECIAL EVENTS

~~1.6 Member/Guest Club Championship~~

~~1.6.1 Each ACBL-sanctioned club that operates a minimum of 18 regularly scheduled games under one session during the year is entitled to hold a one-session Member/Guest Club Championship. A club that is sanctioned for, and conducts, from six through 10 weekly sessions is entitled to hold two Member/Guest Club Championships, and a club that conducts 11 or more weekly sessions is entitled to hold three Member/Guest Club Championships.~~

~~1.6.2 Member/Guest Club Championships may be scheduled at any time during the year.~~

~~1.6.3 Once each year a Club may hold a one-session Member/Guest Club Championship at a time other than that of the regularly sanctioned session. When this is the case, written permission must be obtained from all other sanctioned clubs within a 25-mile radius scheduled to hold a game at the same time.~~

~~1.6.4 Clubs entitled to hold more than one Member/Guest Club Championship may only move one of the events to a session for which they are not sanctioned.~~

~~1.6.5 Member/Guest Club Championships are open only to (1) any partnership made up of one ACBL member and one player who is a non-ACBL member or (2) any partnership made up of two individuals, neither of whom are ACBL members.~~

Effective date:

Deferred to Summer 2020 in Montreal, QC

Deferral carried

Item 201-27: STaC Matchpointing Requirement

The language in item 181-19 relating to matchpointing across the field is rescinded. Item 182-43, which establishes an implementation date of 1/1/2021 for this change, is rendered obsolete and thus also rescinded.

Effective April 1, 2020

Deferred to Summer 2020 in Montreal, QC

Deferral carried

Item 201-28: STaC Conditions of Contest

The revised Conditions of Contest for STaCs, attached as Exhibit A2 CoC, be adopted.

Codification Chapter 10, Part A, Paragraph 3.4 is deleted, with the subsequent paragraphs renumbered accordingly.

Effective August 1, 2020
Deferred to Summer 2020 in Montreal, QC
Deferral carried

Item 201-29: North American Pairs Conditions of Contest

The Conditions of Contest for the 2020-2021 NAP, attached as Exhibit A1 NAP CoC, are adopted.

Effective June 1, 2020 (start of the club qualification period for this cycle)
Carried Abstain: 2

STRATEGIC COMMITTEE	
Cuneo (C), Weniger (VC) Anderson, Ellis, Irving, Moss, Rowe, Shoemaker	Staff: J. Jones
As reported by Committee Chair	

The oral report of Committee Chair is received.

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Litigation Report

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

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AUDIT COMMITTEE	
Muñoz (C), Lodge (VC) Ellis	Staff: Dodson
As reported by Committee Chair	

A meeting of the Audit Committee was convened by Chair Carlos Muñoz via teleconference at 10:34AM EDT on March 18, 2020. In attendance were members Carlos Muñoz, Brian Ellis, David Lodge; ACBL staff Peyton Dodson, Manny Karkowsky, Linda Dunn; and Watkins Uberall auditors Steven Brown and Clark Province.

Linda Dunn, League Counsel, reported on conflict of interest questionnaires received from all Board members. No conflicts were reported and copies of the questionnaires will be provided to Board members in due course. Linda also reported no change in the whistleblower policy and none recommended. Linda was excused with thanks.

Peyton Dodson then introduced the auditors, reporting that the audit had been conducted without problems.

Steven Brown, audit Manager, then led a review and discussion of the audit, starting with the Governance letter and the fact that Watkins Uberall had issued a “clean” opinion, having had no disagreements with management. Audit Committee questions were answered satisfactorily. All Board members have received copies of the audited statements.

The auditors advised they had no issues for separate discussion with the Audit Committee, thus they were thanked by the Committee and the meeting was adjourned at 11:09AM EDT.

TOURNAMENT TASKFORCE COMMITTEE

W. Smith (C), J. Smith (VC)
Glasson, Hennings, Jones, Kovacich,
Overby, Popper, Rodney

Staff: Dodson

As reported by Committee Chair

The oral report of Committee Chair is received.

NABC REVIEW COMMITTEE

Subeck (C), Bertoni (VC)
Kovacich, Zayac,

Staff: Coles

As reported by Committee Chair

Item 201-60: Revised Schedule for Selected NABC Events

The ACBL Board of Directors reconsider Motion 193.61.

Effective immediate

Deferred to Summer 2020 in Montreal, QC

Deferral carried

Item 201-61: 0-2500 Four Session Swiss Team National Event

Provide a two-day 0-2500 Swiss Team National Event on Tuesday and Wednesday of the Spring NABC for players with 0-2500 masterpoints. The first two sessions would be a Qualifying and the second two sessions a Final.

Effective January 1, 2021

Deferred to Summer 2020 in Montreal, QC

Deferral carried

Item 201-62: 0-2500 B/C Two-Day National Pairs Event

A two-day 0-2500 Pairs Event be added to the Spring NABC Schedule on the second Thursday/Friday of the NABC. The first two sessions would be a Qualifying and the second two sessions a Final.

Effective January 1, 2021
Carried unanimously

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The meeting was called to order by President Georgia Heth on Friday, March 20, 2020 at 12:00 p.m.

Present: Same as Thursday, March 26
Also Present: Same as Thursday, March 26, with the addition of Peyton Dodson

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Moved that the Board of Directors will consider as timely any motion for reconsideration, of motions passed at its March meeting if moved for reconsideration at the Montreal Board of Governors meeting.

Effective immediately
Carried unanimously

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NAP/GNT 2020 Schedule

Moved that the 2020 NAP Finals will be held at the Montreal Summer 2020 NABC. The 2020 GNT Finals will be held at the Tampa Fall 2020 NABC. The details of the Finals, including the scheduling of those events, will be established by management at a later date.

The deadline for the completion of District GNT Finals will be October 1, 2020.

Carried Nay: 12

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Item 201-77: Spring 2024 NABC Louisville, KY

The Spring 2024 NABC, be held at the Galt House Hotel, Louisville, KY on March 14 – 24, 2024.

Carried Nay: 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 12:42 p.m.

Closing Remarks

The Board adjourned sine die at 3:15 p.m.