

**Excerpts of
ACBL Board of Directors
Minutes
As presented by Richard Popper
November 22, 2020**

APPEALS & CHARGES COMMITTEE

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

Staff: Gordon

Item 203-02: CDR Revisions

The following revisions be made to ACBL Codification, CHAPTER I – MEMBERSHIP A. MEMBERSHIP:

2.3 Definition of Member in Good Standing

2.3.1 An ACBL member shall be deemed to be in “good standing” when such member's dues, if dues are required, are current and such member is not currently:

- a. expelled;
- b. serving a term of Ssuspension;
- c. serving an indefinite probation;
- d. serving a probation, the initial term of which was 24 or more months; or
- e. serving a term of Probation following a Ssuspension, the initial term of which ~~probation~~ was more than in excess of 90 days.

2.3.2 A member who is not in good standing (as defined herein) shall not be entitled to:

- a. serve in any elected or appointed position in the ACBL;
- b. receive any subsidy or remuneration from the ACBL;
- c. participate in and receive recognition for achievement in masterpoint races;
- d. receive recognition for achievement in masterpoint rank promotion;
- e. have an article published on the ACBL website or in any ACBL publication;
- f. vote in any election in which the general membership is the electorate;
- g. serve as a club manager or Director;
- h. participate in events where such participation is prohibited by the conditions of contest; ~~and/or~~
- i. vote in a Hall of Fame election; and/or
- j. membership on the Goodwill Committee;

The following revisions be made to ACBL Codification, CHAPTER I – MEMBERSHIP D. GOODWILL, ETHICS AND ZERO TOLERANCE:

1.3 Suspension or ~~r~~Removal from the Goodwill Committee. Membership in the Goodwill Committee is a lifetime appointment so long as the member is in “good standing”. See ACBL Codification, CHAPTER I – MEMBERSHIP D. MEMBERSHIP, sec. 2.3.1 and ACBL CDR Definitions. If a member loses “good standing” status, the Goodwill Committee appointment shall be removed. Upon regaining “good standing” status, a member shall not automatically be re-instated to the Goodwill Committee but is eligible for re-nomination to the Committee. ACBL expulsion, suspension for one year or longer, or probation for two years or longer will result in permanent removal from the Goodwill Committee.

~~1.3.1 A Goodwill Committee appointment is a lifetime appointment as long as the member is a member in “good standing”. If a member loses good standing, the member’s Goodwill Committee appointment shall be suspended until the member regains good standing. Expulsion from the ACBL, suspension for one year or longer or probation for two years or longer will result in permanent removal from the Goodwill Committee.~~

The following revisions be made to the CDR:

Definitions:

Hearing – a location where a disciplinary procedure under this CDR is held, which may be a physical location, virtual location via telephone or other electronic means, or a combination of these

Electronic Presence – participation in a hearing by means of a conference telephone or similar communications equipment or by electronic video screen communication; participation by such means shall constitute presence in person at a hearing as long as all persons participating in the hearing can hear each other at the same time and each person can participate

~~member~~ Member in gGood sStanding

An ACBL member shall be deemed to be in “good standing” when such member’s dues, if dues are required, are current and such member is not currently:

1. expelled;
2. serving a term of ~~s~~Suspension;
3. serving an indefinite Probation;
4. serving a Probation, the initial term of which was 24 or more months; or
5. serving a term of Probation following a Suspension, the initial term of which was more than 90 days.

A member who is not in good standing (as defined herein) shall not be entitled to ~~may not~~:

1. Serve in any elected or appointed position in ACBL;
2. Receive any subsidy or remuneration from ACBL;
3. Participate in Masterpoint races;
4. Receive recognition for Masterpoint rank promotion;
5. Publish an article in any ACBL publication;
6. Vote in any election in which general membership is electorate;
7. Serve as a club manager or director;
8. Participate in events where such participation is prohibited by Conditions of Contest;
9. Vote in a Hall of Fame election; and/or

10 - Membership on the Goodwill Committee.

(reprinted in ACBL Codification, **CHAPTER I – MEMBERSHIP A. MEMBERSHIP**, ~~Chapter 1,~~ § 2.3.1-2.3.2)

§ 201(D) **Jurisdiction of Cases by a District Appellate Committee.** A District Appellate Committee has jurisdiction ~~jurisdiction over~~
~~over:~~

(1) An Appeal of the decision of that District's District Disciplinary Committee, except a decision against or for a Unit as an entity that had been brought as set out in CDR § 801.

~~(2) Disciplined Person accused of violating their discipline when that District's District Appellate Committee imposed the alleged discipline violated. (See CDR § 401(B))~~

~~(3)-(2)~~ When otherwise expressly stated in this CDR.

§ 202(B) **Jurisdiction of Cases by ACBL Disciplinary Committee.** The ACBL Disciplinary Committee has jurisdiction over:

~~(4) Cases in which~~

~~(i) circumstances make it impractical or unfair for a matter to be handled by the District; or~~

~~(ii) the issues involved are of paramount importance to the ACBL.~~

~~The ACBL Board of Directors, through its Executive Committee or otherwise, will make the determination concerning whether either of these conditions apply. If answered in the affirmative, the ACBL Board of Directors delegates its duties as Charging Party to the Executive Director to act on its behalf. Any dispute or case that results in a Charge shall be heard by the ACBL Disciplinary Committee.~~

(4) Cases in which:

(i1) Circumstances make it impractical or unfair for a matter to be handled by the District, or

(ii2) The issues involved are of paramount importance to the ACBL.

ACBL Management may use the Executive Committee of the ACBL Board of Directors to make a determination under subrule (d).

In these disputes or cases, the ACBL Board of Directors delegates its duties as Charging Party to the Executive Director to act on its behalf. Any dispute or case that results in a Charge shall be heard by the ACBL Disciplinary Committee.

§ 202(C) ~~——~~ **Jurisdiction of Cases by ACBL Management.** ACBL Management has jurisdiction over:

~~(1) Disciplined Person accused of violating their discipline when ACBL Management imposed the alleged discipline violated. (See CDR § 303(B)(6))~~

- ~~(2)~~ Persons disciplined twice (other than Reprimand) within a 24 months period by a Disciplinary Body listed in CDR §§ 101-110 as set out in CDR § 305(A).
- ~~(3)~~ Persons that violate Automatic Probation as set out in CDR § 305(A).
- ~~(4)~~ Cases involving allegations of sexual harassment of a full-time or part-time ACBL employee or a Unit or District tournament employee.
- ~~(5)~~ Administrative Violations as set out in CDR § 303.
- ~~(6)~~ When otherwise expressly stated in this CDR.

§ 202(D) **Jurisdiction of Cases by Appeals and Charges Committee.** The A&C Committee has jurisdiction over:

- (8) Automatic review of ~~A~~all cases in which discipline imposed by a Disciplinary Body results~~ing~~ in:
 - (a) a Suspension of one (1) year or longer;
 - (b) a finding of responsibility for a First Degree Ethical Violation; or
 - (c) in Expulsion.

§ 202(E) ~~——~~**Jurisdiction of Cases by Ethical Oversight Committee.** The EOC has jurisdiction over:

- (3) Cases involving ~~an~~ ACBL members who have been found responsible by any other bridge organization for an ~~Ethical~~ Violation when referred by the ACBL Executive Director for resentencing purposes. (See CDR § ~~202(B)(6)-403~~ for procedure.)

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

(C) **Charged Party's Rights.** A person charged with one of the grounds for discipline set forth in CDR §§ 301-305 shall be entitled to:

- (1) 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 § 502(L)), a hearing shall nevertheless be held to determine and impose appropriate discipline.
- (2) 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.
- (3) Be present at the hearing, which presence may be electronic and/or in person.
- ~~(3)~~ Be represented at the hearing by another person who shall not be a member of the ACBL Board of Directors.

- (45) Produce evidence and make statements on his/her own behalf.
- (56) Be present during the entire hearing, except during procedural determinations and deliberation on verdicts and imposition of discipline.
- (67) Question persons testifying. The chairperson may restrict this right if abused.

§ 603(A) **Right to Appeal a Disciplinary Body's Decision.** Except for cases subject to Automatic Review under § 603(E)(1), ~~the~~ Disciplined Person and/or the Charging Party may file a written request to appeal with the chairperson of the Appeals and Charges Committee from

- (1) _A decision of the Ethical Oversight Committee;
- (2) _A decision of the District Appellate Committee;
- (3) _A decision of the ACBL Disciplinary Committee; or
- (4) _A decision of the Online Ethical Oversight Committee.

§ 603(E)(1) All disciplinary cases in which

- ~~(i)~~ a Suspension of one (1) year or longer is imposed;
- (ii) Expulsion is imposed; or
- (iii) a discipline for a First Degree ~~+~~ Ethical Violation is imposed,

shall be automatically reviewed by the Appeals and Charges Committee within six (6) months of receipt of the decision or Hearing Report, whichever is earlier, by the ACBL (an "Automatic Review"). On such Automatic Review, the Appeals and Charges Committee may increase or reduce discipline imposed as well as affirm, reverse or modify the disciplinary determination or remand the case for further proceedings. In conducting such Automatic Review, the Appeals and Charges Committee shall not conduct a new hearing but shall review the previous hearing to ensure that: (1) procedures were followed in accordance with the CDR; (2) the decision and discipline imposed was supported by the evidence; ~~and~~ (3) a fair hearing was conducted; or (4) no person on the hearing panel had a bias affecting the decisions of the panel, when such objection was raised at the hearing.

§ 605(B) **Procedures on Automatic Review When Permission to Appeal is Granted**

- (1) *Standard of Appellate Body Review.* Once permission to appeal has been granted, other than appeals as set out in CDR §§ 601 and 603(E), the appellate body's considerations shall address only the allegation(s) raised in the written statement that accompanied the request to ensure that: (1) the decision was supported by the weight of the evidence presented at the hearing; (2) the procedures were followed in accordance with this CDR; (3) the discipline imposed was supported by the evidence; and/or (4) no person on the hearing panel had a bias which affected the decisions of the panel, when objection to such bias was raised at the hearing, as the case may be. In general, appeals will be considered on the record made in prior hearings. Other than as provided in CDR § ~~6017.0~~, no new evidence shall be allowed and the appellate body may not conduct a new hearing. A person's past disciplinary record, should one exist, may not be considered in review of the merits of the issues being appealed but may be considered as to the severity of the discipline under review.

§ 605(C) **Status of Disciplinary Body Whose Decision is Appealed or on Automatic Review**

§ 903(C) **Timing.** All disciplines will be published on the ACBL website for the length of time of

the discipline levied. Hearing reports made available under § 903(A) will be published on the ACBL website upon issuance. Expulsions shall also be reported in the ACBL Bridge Bulletin. (See also CDR § 401.)

CDR § 502(C): Language that was added and approved by the Executive Committee at the April 9, 2020 meeting effective immediately has been slightly re-worded and moved to the list of other rights of Charged Parties.

CDR § 603(A): Clarifies that cases subject to Automatic Review do not require the ordinary Appeal request and procedures.

CDR § 603(E)(1): Section 202(D) limits reviews to disciplines imposed for findings of First Degree Ethical Violations only.

CDR §§ 605(B)-(C): Clarifies that these provisions also apply to cases subject to Automatic Review and corrects a CDR cross-reference.

CDR § 903(C): Clarified that hearing reports are to be published upon issuance.

Effective immediately

Carried

Abstain: 18

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Moved and seconded that the Special Events calendar is approved with the following changes: the Educational Foundation weekend of February 27 – 28 is changed to a weeklong event and the Charity Foundation weekend of April 11 - 12 is changed to a weeklong event. (Attachment D)

Moved and seconded that the GNT/NAP schedule is approved. (Attachment E)

Effective immediately

Carried

BRIDGE COMMITTEE

Carman (C), Ellis (VC),

Bertoni, Moss, Muñoz, Rowe, J. Smith, W. Smith, Subeck, Weniger

Staff: Weinstein

Item 203-05: Platinum Events

The Platinum Events entry requirements for paid up ACBL members, who have earned at least fifty (50) platinum points to qualify to play in said Platinum Events, be amended to require the accumulation of platinum points from the nine (9) most recently held in-person NABCs.

Effective retroactive to January 1, 2020

Carried unanimously

Item 203-06: Unit and Club Teacher Recommendations

The ACBL establish procedures to:

- Enable teaching clubs and Unit Board of Directors 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” searching 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 immediately
Motion failed

Item 203-07: Teaching Clubs and Teaching Centers

The ACBL will establish procedures for designating teaching clubs and teaching centers:

- Teaching clubs and teaching centers shall apply to the ACBL for their designation by providing a one (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 trybridge.org. Failure to update information will cause the loss of the teaching club/center designation.
- A list of teaching clubs and teaching 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 teaching 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 immediately
Motion failed

Item 203-08: Alert Chart

The Alert Chart as presented by C and C in 2020 is approved. (Attachment F)

Effective January 1, 2021
Carried unanimously

FINANCE COMMITTEE
Glasson (C), Muñoz (VC),

Item 203-10: Operating & Capital Budget

The 2021 operating budget and 2021 capital budget be received.

Effective immediately

Carried unanimously

Item 203-11: U.S. Currency for Membership Dues' Transactions

The Codification be amended as follows to provide for membership dues to be paid in U.S. dollars only:

1. Chapter I – Membership, C. Dues and Life Master Service Fees, Section 1 – Dues, be amended to add a new subsection as follows:
 - 1.8 ACBL membership dues will be transacted in U.S. dollars only.
2. Chapter I – Membership, C. Dues and Life Master Service Fees, Section 2 – Canadian Dues, subsection 2.2 Canadian Exchange Rate for Dues be amended and relocated in its entirety as so amended to Chapter II – Business Management, A. Finance, Section 7 – Foreign Funds, as follows:
 - 7.2 ACBL's policy with regard to setting the exchange rate for Canadian members is to optimally balance the needs to:
 - 7.2.1 Protect the Canadian ACBL member from overpaying because the Canadian dollar strengthens.
 - 7.2.2 Protect the ACBL from exchange losses because the Canadian dollar weakens.
 - 7.2.3 Control the administrative burdens and costs of changing renewal exchange rates too often.
 - 7.3 The exchange rate used to determine the rate for Canadian members shall be the rate established for that calendar year, except that the exchange rate will be modified during a year under the following conditions:
 - 7.3.1 Once a quarter on the 20th day (or on the first business day thereafter) of March, June, September and December, the average Canadian exchange rate as reported in the Wall Street Journal for that week will be checked.
 - 7.3.2 If this rate differs from the exchange rate then in effect for ACBL Canadian members by three Canadian cents or more, the average exchange rate for that week shall become the rate effective in the following month. This revised rate will remain in effect for the remainder of the calendar year unless and until altered in accordance with this provision.

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

3.1.3 Set the exchange rate applicable to Canadian members.

Effective immediately

Carried Nay: 1

Item 203-12: Budget Calendar

The Codification Chapter II – Business Management, A. Finance, Section 5 – Budget is amended as follows to change the timing of the annual budget process:

5.3 The budget for the next calendar year will be finalized no later than, November 1, approved by the Finance Committee, and then presented to the full Board for ratification prior to the end of the calendar year.

Effective January 31, 2021

Carried unanimously

GOVERNANCE BOARD OPERATIONS COMMITTEE

Hennings (C), Kovacich (VC)

Anderson, Cuneo, Glasson, Irving, Janicki, Johnson, Lane,

Lodge, Overby, Shoemaker, Stephani, Zayac, Popper

Staff: Dunn

As reported by Committee Chair.

Item 203-15: Establish a Framework for Operating Guidelines

Codification Chapter II – Business Management, A. Finance, Section 3 – Management Functions be amended to add the following:

3.6 The ACBL Board delegates authority to ACBL management in the program areas identified by, and subject to the specifications and constraints listed in, a newly created Appendix 2D – Operating Guidelines.

Effective January 1, 2021

Carried unanimously

Item 203-16: Overall Operating Guidelines

Codification Appendix 2D – Operating Guidelines shall include a Section 1 as follows:

1 Overall.

As functions shift from the ACBL Board of Directors to ACBL management, the Board intends that current operations continue except where noted within these Operating Guidelines.

Effective January 1, 2021

Carried unanimously

Item 203-17: Operating Guidelines for NABC Site Selection

Codification Appendix 2D – Operating Guidelines shall include a Section 2 as follows:

2 NABC Site Selection

- ACBL management shall maintain a standard Request for Proposal (RFP) for NABC site selection. The ACBL President and the Finance Chair must be alerted to any changes to the RFP.
- It is the expectation of the Board that NABCs will be profitable; however, ACBL management may provide any reasonable budget for any proposed NABC site. As manpower permits, ACBL management shall update budget projections for approved NABC sites if substantial changes to the projections occur.
- The Board shall continue to be responsible for any decision to change the number of annual NABC tournaments.

Effective date: The earlier of January 1, 2022

Carried Nay: 1

Item 203-18: Operating Guidance for NABC Review

Codification Appendix 2D – Operating Guidelines shall include a Section 3 as follows:

3 NABC Review

- The Board of Directors must approve substantial changes to NABC events and start times.

Effective date: The earlier of January 1, 2022

Carried unanimously

Item 203-24: ACBL Logo

Codification Chapter III- ADMINISTRATION, C. LEGAL, Section 2 – Seal and Emblem, subsection 2.2 is stricken and replaced with the following:

2.2 The ACBL’s logo suite may be updated from time to time by ACBL management with Board approval.

Effective date: as soon as ACBL management can implement the changes

Carried Nay: 9, 10, 14, 22 Abstain: 18

STRATEGIC COMMITTEE	
Cuneo (C), Weniger (VC), Anderson, Ellis, Johnson, Irving, Moss, Rowe, Shoemaker	Staff: J. Jones

The oral report of Committee Chair is received, including, but not limited to, a discussion of incentives offered to clubs. A motion to defer Items 203-20, 203-21, 203-22 and 203-23 to the Spring 2021 meeting failed whereupon the motions were considered by the Board.

Item 203-20: Teaching Clubs/Centers Incentives (1)

The ACBL shall modify the Guest Membership Program by offering new players a one-year membership discount available exclusively through teachers, teaching clubs and teaching centers.

Motion failed.

Item 203-21: Teaching Clubs/Centers Incentives (2)

Offer 1 to 2 additional Club Championship games with no sanction fee based on objective recruiting performance: such as the number of prospects engaged (Guest Members), the number playing rubber bridge, and the number of new members created (year one or full membership price) and best practices such as: offering lessons, holding rubber bridge sessions, holding I/N games, supervised play sessions and teaching games. The ACBL defines and publishes such objective performance criteria. Teaching clubs and teaching centers are defined separately by the ACBL.

Motion failed

Item 203-22: Teaching Clubs/Centers Incentives (3)

The ACBL shall feature teaching clubs and teaching centers in its advertising, targeting known Guest Members and new prospects. Advertising of these programs should be made in a timely and accurate manner.

Motion failed

Item 203-23: Teaching Clubs/Centers Incentives (4)

Award extra matching Cooperative Advertising Program funds to the top recruiting teaching clubs and teaching centers.

Motion failed