

# Minutes

## Annual Meeting of the USFA Board of Directors

September 19 & 20, 2009 Minneapolis, MN

In Attendance:

Bradley Baker, Mary Beth Bell, Jerry Benson, Daniel Berke, David Blake, Jane Carter, Greg Chang, Aaron Clements, R. Greg Dilworth, David Herr, Sada Jacobson, Alan Kuver, Terry Kwan, George Masin, Paula Reed, John Scott Rodgers, Sunil Sabharwal, Kathryn Schifferle, Laurence Schiller, Mark Stasinos, Soren Thompson, Kalle Weeks, Alexander Wood

Guests:

Kurt Aichele, Donald Alperstein, Brendan Bâby, Tanya Brown, Mark Harris, Peter McOwen, Christine Simmons

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\*Reports are provided by committee chairs regarding their committee's activities; approval of the submitted reports does not indicate adoption of items within each report.

## **I. Information**

### **A. General Information and Organizational Items:**

General announcements –

Moment of Silence: Alex Jefferies

Appointment of Parliamentarian: Aaron Clements

### **B. Minutes of the July 5, 2009 Special Meeting of the Board of Directors**

**Motion (Mr. Baker):** To approve the minutes of the July 5, 2009 Special Meeting of the Board of Directors (the minutes are distributed separately)

**Second: Ms. Kwan**

**Passed**

### **C. Board Education: Kalle Weeks & Terry Kwan**

### **D. Presentation: “Building a Foundation for the Future” - Kurt Aichele**

### **E. Presentation: “Tournament Profitability Analysis” – Brendan Bâby and Mark Harris**

**F. Motion (Mr. Clements):** To approve Presidential Appointees to the Board: David Herr, Terry Kwan, and Sunil Sabharwal.

**Second: Mr. Schiller**

**Passed**

### **G. Officer and Executive Director Reports: (Please refer to the Index of Appendices)**

**Motion (Mr. Baker):** To receive Officer and Director reports.

**Second: Ms. Kwan**

**Passed**

### **H. Committee Reports**

1. Executive Committee Reports of Action. The EC took the following actions:

#### **August 4<sup>th</sup>, 2009**

- The EC considered a request to overturn a division's decision not to sanction a charitable event.

Sanctioning authority rests with divisions and sections, as the Operations Manual, in such provisions as Chapter 3 Section 1.C.1 and Chapter 3 Section 2.A. can be read to codify that policy, and the Division Operating Guide (see, e.g., Chapter 1, page 5, first full paragraph) accords. In addition, there is no procedure or precedent for overriding the division's decision regarding a truly local event.

The Committee, therefore, declines to overturn the division's decision. We do, however, commend the local organizer for his decision to hold this event, as it provides an opportunity for the community at large to learn about our sport while contributing to a worthy cause.

**August 11<sup>th</sup>, 2009**

- Upon receiving a request for clarification of the policies for organizing tournaments, the Executive Committee reminded a division that it cannot set different qualification standards for entry into the same event based upon an athlete's gender. Specifically, the minimum (or maximum) classification requirement for male and female athletes to enter a specific mixed event cannot be different.

Section 6.2.B of the Operations Manual specifies the conditions under which an event may be restricted by classification. Nothing in the language included allows for varied entry criteria based upon gender.

- The Executive Committee heard an appeal on behalf of two members to be allowed to simultaneously represent two clubs in competition for the upcoming season. The appeal requested that one club representation be used for all foil competitions entered and a different club representation be used for all epee competitions.

The Executive Committee declined this appeal, noting that there are already mechanisms to allow for an athlete to be affiliated with multiple clubs simultaneously. The appeal cited as the primary reason behind desiring multiple club representation that each club "be eligible to coach" the athletes in question in the respective weapon. There is nothing in the US Fencing rules or policies that would limit a club with which an athlete is affiliated but not representing (or, indeed, not even affiliated with) from providing such coaching.

Section 5.2.B of the Operations Manual states:

“A distinction is made between club “affiliation” and “representation.” A fencer may be affiliated with more than one club but can represent only one of them (except as provided for below) in USFA competitions during each fencing season.”

While Section 5.2.B.1 states in part:

“However, within the same fencing season, no fencer may represent in competition more than one club without special permission of the Board of Directors.”

- Approved the request of USFA General Counsel to authorize the expenditure of an amount, not to exceed \$2000, to compensate a CPA to arbitrate a long-standing dispute between the Golden Gate Fencing Foundation and the Pacific Coast Section over unresolved mutual accounts arising out of arrangements for the organization and conduct of certain sectional competitions. After the arbitrator renders a decision, a determination will be made regarding allocation of the cost.

## August 25<sup>th</sup>, 2009

- The Executive Committee, as directed by the Bylaws (Article XII, Section 11.1) has filled the Vice Presidential vacancy that occurred upon the resignation of Roberto Sobalvarro with the interim appointment of Jane Carter. The Committee requests that the Board of Directors confirm her appointment for the balance of the term at their annual meeting in September.

Jane began fencing as a teenager at the Tanner City Fencers Club, and continued to compete at Penn where she was a three-time All-American and a member of the 1986 NCAA Championship team. She fenced internationally on multiple World, Pan American and World University teams, taking the individual gold at the Junior Pan Am Championships in 1987; she was a member of the team winning the Pan Am gold in 1991. She has served the USFA in a variety of capacities, including the Operations Manual Task Force, the Grants Committee, the International Committee/High Performance Committee (chair, 2004-2006) and, from 1998-2008, was a member of the Executive Committee. She is currently the chair of the Bylaws Review Task Force. Jane coaches at the Tanner City Fencers Club, is an assistant coach at the Dana Hall School, and serves as a referee at collegiate meets in the New England area. She is a program manager at CRFHealth, a software company that supports the pharmaceutical and biotech industry.

## September 8<sup>th</sup>, 2009

- The Executive Committee has adopted a general policy that members of a division are entitled to review any submitted financial reports from the previous three years for their division.

The National Office received a request from a member for access to the financial reports of multiple divisions, and sought direction from General Counsel. He in turn noted the absence of statutory or existing policy guidelines governing such situations, and referred the matter to the EC for the statement of the USFA's policy in such cases. After due consideration, the EC reasoned that members of US Fencing should have access to division records in the spirit of openness and transparency. The Executive Committee recommends that members initially inquire of their division officers before requesting such documents from the National Office. The Executive Committee also recommends that divisions post such information to their websites.

**Motion (Mr. Baker):** to approve EC action items.

**Second: Mr. Blake**

**Motion (Mr. Clements): To divide the motion with the August 4, 2009 item to be approved separately.**

**Second: Mr. Kuver**

**Motion Passed**

**Motion related to August 4 item:**

**Motion (Mr. Herr): To call the question**

**Second: Mr. Baker**

**Motion failed**

**Motion (Mr. Clements): To amend the action item as follows:**

- The EC considered a request to overturn a division's decision not to sanction a charitable event.

~~Sanctioning authority rests with divisions and sections, as the Operations Manual, in such provisions as Chapter 3 Section 1.C.1 and Chapter 3 Section 2.A. can be read to codify that policy, and the Division Operating Guide (see, e.g., Chapter 1, page 5, first full paragraph) accords. In addition, there is no procedure or precedent for overriding the division's decision regarding a truly local event.~~

The Committee, ~~therefore,~~ declines to overturn the division's decision. We do, however, commend the local organizer for his decision to hold this event, as it provides an opportunity for the community at large to learn about our sport while contributing to a worthy cause.

**Second: Mrs. Schifferle**

**Motion Passed**

**Motion, as amended, Passed**

**Motion related to other items Passed**

2. Committee Reports: (Please refer to the Index of Appendices)

**Motion (Mr. Baker):** to receive committee reports.

**Second: Mr. Clements**

**Motion Passed**

## **II. Budget Phase**

### **A. Financial Reports:**

Budget vs. Actual report for period ending July 31, 2009.

**Motion (Mr. Dilworth):** To receive the Budget Report as submitted to the Board.

**Second: Mr. Clements**

**Motion Passed**

### **B. 2009-2010 Budget Variances**

**Motion (Mr. Dilworth):** To approve variances to the 2009-2010 budget, as submitted to the Board.

**Second: Mr. Blake**

**Report amended as follows:**

**Line 6 expenses increased by \$10,000 to provide for performance bonuses for the staff to reward actions taken in 2008-2009 and anticipated future actions in 2009-2010 to reduce expenses in a difficult financial environment.**

**Motion, as amended, Passed**

### **III. Proposed Amendments to the Bylaws**

#### **A. Motion (Mr. Clements):**

To amend the Bylaws of the Association by adding the following section to Article VIII:

Art. VIII, Sec. 23. **Executive Session**. The Board shall hold an executive session during each Annual Meeting at which the Board shall review the performance and terms of employment of the Executive Director or any member of the Association's staff exercising the authority of the Executive Director. At either the annual meeting or at any special meeting, the Board may take up a specific matter, including a disciplinary matter, in executive session on a motion supported by two-thirds of the ~~whole membership~~ members of the Board present. An executive session shall be open only to members of the Board and General Counsel of the Association unless the motion seeking the session expressly designates specific, named individuals who may remain present.

**Motion Text corrected, as above (strikethrough and underline)**

**Second: Mr. Baker**

**Motion referred to Bylaws Review Task Force**

#### **B. Motion (Mr. Clements):**

To amend Art. VIII, Sec. 10 of the Bylaws of the Association as follows:

**Section 10 Quorum**. At any meeting of the Board of Directors, the number of members present in person constituting a quorum shall be the greater of one-third of the members in office or seven members ~~present in person~~. On failure of a quorum a lesser number shall have the power to adjourn to a given time and place. The date, place and time of each meeting shall be designated by the President.

**Second: Mr. Masin**

**Motion referred to Bylaws Review Task Force**

### **IV. Elections**

#### **A. Election of members of the Election Committee.**

**The following were nominated:**

**Gerrie Baumgart**

**Daniel Berke**

**David Blake**

**John Springgate**

**There being no other nominations and four nominees named for four positions, all nominees were deemed to have been elected.**

**V. Vacant Officer Post**

**A. Motion (Mr. Baker):** That the Board appoint Jane Carter to fill the position of Vice President formerly held by Roberto Sobalvarro for the balance of the term.

**Second: Mr. Kuver**  
**Motion Passed**

**VI. Unfinished Business**

**A. Second Hearing**

**1. Motion (Mr. Clements):**

**Second: Mr. Dilworth**

**Motion (Mr. Clements):**

To divide the existing motion regarding membership as amended to restructure the existing membership structure into two questions, one related to restructuring and/or renaming existing membership classes, and the second related to the creation of additional categories of contributory life memberships, and to amend the second portion of the question as follows:

To establish classes of contributory life membership to be offered to existing fully-paid Life Members as follows:

An existing fully-paid Life Member of the Association may become a contributory Life Member in one of several classes upon payment of additional voluntary dues to the Association as set forth herein. Contributory Life Members retain eligibility to vote in USFA elections, but receive additional recognition at USFA events and shall receive credentials identifying the member’s status and class of contributory Life Membership including such items as a certificate suitable for framing; a suitably-designed lapel pin, decal, and patch; and a new membership card.

Additionally, as an introductory measure, the Executive Director shall be authorized to offer contributory Life Memberships to the existing roll of Life Members at a discounted price of not less than one-half of the dues for each class of contributory Life Membership for a period of one year following establishment of these classes of membership and to offer additional incentive(s) at the discretion of the Executive Director (such as a distinctive jacket or similar gift), but not exceeding \$200 in cost to the Association.

The total dues and incremental dues for each class of contributory Life Membership shall be as follows:

Class	Total Dues (in addition to Life Membership)	Incremental Dues
Endowment Member	\$2,000.00	\$2,000.00
Patron Member	\$5,000.00	\$3,000.00
Benefactor Member	\$10,000.00	\$5,000.00
Philanthropic Member	\$25,000.00	\$15,000.00

**Second: Mr. Benson**

**Motion to split Passed**

**Motion re: revisions to existing classes of membership referred to Resource Development Committee**

**Motion re: Contributory Life memberships Passed**

2. **Motion (Mr. Baker):** To adopt rules changes to reflect a change in the target area in foil to include a portion of the lower bib, matching the current rules in effect for FIE competition. The effective date of these rules changes will be August 1, 2009 for all national tournaments and qualifiers to national tournaments. The effective date of these rules changes will be August 1, 2010 for all other competitions at all levels governed by the rules of US Fencing.

**Second: Mr. Kuver**

**Motion Withdrawn**

3. **Motion (Mr. Clements on behalf of the ROC Advisory Group):**

To modify the qualification path for Veteran events at Summer Nationals (as outlined in Section 2.11.6 of the Athlete's Handbook) as follows:

Qualifying Path – Summer National Championships

Fencer must state on entry the competition at which he or she met qualification criteria. Failure to do so will be the basis for rejection of entry. (NAC or points)

VETERAN – must meet age eligibility requirements above AND compete in

- Current season Section Championships OR
- Current season Division qualifying competition for Division II and/or Division III Championships in which only those with a "C" classification or lower (D, E, or U) may compete OR
- Any Regional Open Circuit event during the current season OR
- Any NAC during the current season.

**Second: Mr. Becker**

**Motion (Mr. Schiller): To amend the motion as follows:**

To modify the qualification path for Veteran events at Summer Nationals (as outlined in Section 2.11.6 of the Athlete's Handbook) as follows:

Qualifying Path – Summer National Championships

Fencer must state on entry the competition at which he or she met qualification criteria. Failure to do so will be the basis for rejection of entry. (NAC or points)

VETERAN – must meet age eligibility requirements above AND compete in

- Current season Section Championships OR
- Current season Division qualifying competition for Division II and/or Division III Championships in which only those with a “C” classification or lower (D, E, or U) may compete OR
- Any Regional Open Circuit event during the current season OR
- Any NAC during the current season.

Starting with the 2009-2010 season, up to four six-weapon veteran tournaments be added to the ROC schedule.

**Second: Mr. Benson**

**Motion to amend Passed**

**Motion, as amended, Passed**

**4. Motion (Mr. Streb):**

To adopt 100% promotion from pools to direct eliminations in all Veteran USFA National events including NAC’s & Summer National Championships.

**Second: Mr. Blake**

**Motion (Mr. Masin): To table the motion until the Special Meeting in February.**

**Second: Mrs. Bell**

**Motion to table Passed. Motion will appear on the agenda of the Special Meeting to be held in February 2010 as a second hearing item.**

**VII. New Business**

**A. First Hearing**

**1. Motion (Mr. Baker):**

To approve the Committee List as distributed at the Board Meeting

**Second: Mr. Stasinos**

**Motion (Mr. Kuver): To move the motion to urgent**

**Second: Mr. Stasinos**

**Motion to move to urgent Passed**

**Motion Passed**

**2. Motion (Mr. Clements):**

The Board of Directors hereby delegates its authority to act between meetings of the Board to the Executive Committee. The Executive Committee shall report to the members of the Board a detailed statement of matters in which it acted on behalf of the Board within five business days, including sufficient information on which the Board could make a decision if such matter had arisen during a meeting of the Board. Except as may be otherwise provided by resolution of the Board, any such actions are subject to ratification by the Board at its next meeting.

**Second: Mr. Baker**

**Motion (Mr. Clements): To move the motion to urgent**

**Second: Mr. Kuver**

**Motion to move to urgent Passed**

**Motion Passed**

**3. Motion (Mr. Baker):**

WHEREAS the Board of Directors has determined that abuse of the authority delegated to the divisions to sanction US Fencing competitions has become an increasing problem in the orderly administration of the sport,

IT IS RESOLVED that the Executive Committee is authorized to intervene in the sanctioning process and to overturn decisions of the division to grant or deny competition sanction, in the interest of fairness.

**Second: Mr. Stasinos**

**Motion (Mr. Clements): To move the motion to urgent**

**Second: Mr. Stasinos**

**Motion to move to urgent Passed**

**Motion Passed**

**4. Motion (Mr. Masin):**

Modify Section 5.2.B.1 of the Operations Manual as follows:

A fencer may at any time resign from one club and join another, or join or hold membership in two or more clubs. ~~However, within the same fencing season, no fencer may represent in competition more than one club without special permission of the Board of Directors.~~ The fencer's first stated club affiliation at a USFA competition in each fencing season becomes that fencer's club representation for that season, unless the fencer changes club representation by January 31st or before any team qualifying competition, whichever occurs the earliest. After this deadline, fencers may not change their club representation without special permission of the Board of Directors. In any team competition,

fencers can fence only for the club that they last represented before the start of the competition.

**Second: Mr. Kuver**

**Motion will appear on the agenda of the next meeting of the Board as a second hearing item.**

**5. Motion (Mr. Kuver)**

Effective for the 2009-2010 competitive season, Essex County and Clinton County of the Hudson Berkshire Division (New York) be included into the geographical boundaries of the to the Green Mountain Division (Vermont).

Notwithstanding the provision contained in Chapter 2, Section 3 of the Operations Manual, all US Fencing members resident in, affiliated with a club in, or attending school in one of the two affected counties may elect to switch their division representation to Green Mountain Division by giving notice to the National Office on, or before, October 31, 2009.

**Second: Mr. Blake**

**Motion (Mr. Kuver): To move the motion to urgent**

**Second: Mr. Stasinos**

**Motion to move to urgent Passed**

**Motion Passed**

**6. Motion (Mr. Dilworth)**

The US Fencing Operations manual will be modified as listed in Appendix Q effective on 8/1/2010.

**Second: Mr. Baker**

**Motion will appear on the agenda of the next meeting of the Board as a second hearing item.**

**7. Motion (Mr. Clements):**

To provide for the adequate discharge of the Board of Directors' duties to manage, supervise, and shepherd the resources of the Association, contracts or purchases meeting any of the following conditions must be specifically reviewed and approved by the Board of Directors:

- a. The contract involves the purchase, sale, lease, or encumbrance of real property, or the licensure, purchase, or sale of intellectual property;
- b. The contract, by its terms, purports to impose requirements on the individual members of the Association;
- c. The total value of the contract in the present fiscal year (i.e., the potential monetary obligation incurred by the Association under the contract exclusive of any revenues which may be generated under the contract) exceeds \$25,000.00;
- d. The term of the contract exceeds four years, regardless as to value;
- e. The term of the contract exceeds one year, and either:
  - i. the total value of the contract in any single fiscal year exceeds \$10,000.00; or
  - ii. the total value of the contract in any single fiscal year exceeds ten percent of the budgetary allocation for the relevant spending category in the current fiscal year (i.e., the line-item allocation approved by the Board of Directors in the Association's budget).

Contracts for direct employment by the Association shall be exempt from this requirement, as shall contracts for which provisions are otherwise specifically provided by resolution of the Board of Directors (including provisions of the Operations Manual and existing policies for reimbursement or payment of volunteers).

The Executive Committee shall have the authority to approve contracts on behalf of the Board of Directors while the Board is in recess. The Executive Committee's approval of any contract falling within the definitions of categories (a) or (b), any contract for employment of the Executive Director, or any contract whose total value exceeds \$200,000.00 is subject to the ratification of the Board of Directors.

In addition to the foregoing requirements, all contracts whose obligations in aggregate or related financial exposure exceed \$100,000.00 must be reviewed, prior to their execution, by the General Counsel or by such other legal counsel as the Executive Committee may approve in specific cases. In addition, any contract that (1) has rights or commitments extending for more than one year; (2) contains defense, indemnification or hold harmless provisions; (3) seeks to limit the amount or types of liability of the other contracting party, its subcontractors, agents, or Association successors; or (4) establishes the choice of law, forum or dispute resolution means must be reviewed by the General Counsel or by such other legal counsel as the Executive Committee may approve in specific cases.

**Second: Mrs. Bell  
Motion will appear on the agenda of the next meeting of the Board as a second hearing item.**

**8. Motion (Mr. Stasinos on behalf of the Tournament Committee):**

To add Junior club team events to NAC D (January 2010) and Junior Olympics (February 2010), on a trial basis.

**Second: Mr. Baker**

**Motion (Mr. Clements): To move motion to urgent**

**Second: Mrs. Schifferle**

**Motion to move to urgent Passed**

**Motion Passed**

**9. Motion (Mr. Stasinos on behalf of the Tournament Committee):**

Open Veteran team events shall be added to Nationals 2010, on a trial basis to determine potential interest and are not deemed a Championship at this time.

**Second: Mr. Clements**

**Motion (Mr. Baker): To move motion to urgent**

**Second: Mr. Dilworth**

**Motion to move to urgent Passed**

**Motion Passed**

**10. Motion (Mr. Stasinos on behalf of the Tournament Committee):**

To change to the number of club teams allowed to enter at Nationals, beginning 2010. The qualification path as outlined in the Athlete's Handbook remains intact however no more than 3 teams per club per weapon be allowed to enter at Nationals.

One division composite team per event for club team events will be allowed to enter if no club teams have been entered from that Division.

**Second: Mr. Baker**

**Motion (Mr. Dilworth): To move motion to urgent**

**Second: Mrs. Bell**

**Motion to move to urgent Passed**

**Motion Passed**

**11. Motion (Mr. Stasinos on behalf of the Tournament Committee):**

Change the Ops Manual.

Chapter 8: Rules Governing National Championships

Add paragraph 5 to Section 1A

1. For individual championship competitions, there must be at least 6 fencers entered by the entry deadline for the competition to be held. Less than 6 fencers will be the basis for cancellation of that competition. For team championship competitions there must be at least 6 teams entered by the entry deadline for the competition to be held; otherwise it will be cancelled. An exception to this rule at this time is wheelchair competitions.

**Second: Mr. Kuver**

**Motion (Mr. Benson): To move motion to urgent**

**Second: Mr. Dilworth**

**Motion to move to urgent Passed**

**Motion Passed**

## **12. Motion (Mr. Clements)**

To amend Chapter 6, Section 4 of the Operations Manual by adding a new Paragraph 7:

7. In the event that the issuance of a penalty of exclusion from a competition would result in a reduction of the rating of a competition (either through the reduction in the number of fencers or through the reduction of rated fencers finishing at the appropriate levels of competition) or the number of qualifications awarded at qualifier events (through the reduction in the number of qualifiers awarded based on applying the appropriate percentage, e.g. 25%), the Tournament Committee may examine the circumstances of the exclusion, including through statements of the tournament organizer, officer(s) of the sanctioning body, and/or the official issuing the exclusion. Upon this examination, the Tournament Committee may award classifications and/or qualifications to the non-excluded fencers as if the excluded fencer had completed the tournament if, in its judgment, such result would be equitable. The Tournament Committee may establish a fee for this review not to exceed \$100, to be divided amongst the party/parties requesting examination.

**Second: Mr. Blake**

**Motion will appear on the agenda of the next meeting of the Board as a second hearing item.**

**13. Motion (Mr. Dilworth):**

One of the Independent Directors is added to each of the “Budget and Finance” and “Audit” Committees as a full voting member.

**Second: Mr. Stasinos**

**Motion (Mr. Stasinos): To move motion to urgent**

**Second: Mr. Benson**

**Motion to move to urgent Passed**

**Motion Failed**

**14. Motion (Mr. Dilworth):**

David Herr is hereby added as a full voting member of the Audit Committee and Terry Kwan is hereby added as a full voting member of the Budget and Finance Committee.

**Second: Mr. Kuver**

**Motion (Mr. Kuver): To move motion to urgent**

**Second: Mr. Blake**

**Motion to move to urgent Passed**

**Motion Passed**

**15. Motion (Mr. Dilworth):**

Entry fees for team competitions at NACs, JOs, and Summer Nationals shall be \$120.

**Second: Mr. Herr**

**Motion (Ms. Kwan): To move motion to urgent**

**Second: Mr. Blake**

**Motion to move to urgent Passed**

**Motion Passed**

**16. Motion (Mr. Dilworth):**

To add, on a trial basis, club team events to NAC E (March 2010) for competitors eligible to fence in Division II events.

**Second: Mr. Berke**

**Motion (Mr. Clements): To move motion to urgent**

**Second: Ms. Kwan**

**Motion to move to urgent Passed**

**Motion Passed**

**VIII. Good and Welfare**

1. The next Special Meeting of the Board of Directors – February 14, 2010 at the conclusion of fencing for the day. Reports and motions for inclusion in the agenda are due by January 22, 2010.
2. Availability of Printed Copies of the Agenda at Meetings
3. Discussion of RYC/SYC Program Support Fees

**Motion (Mr. Herr):**

The National Office is instructed to forgive amounts remaining due for Program Support Fees from RYC tournaments in the 2008-2009 season, due to lack of notice given to organizers.

The National Office shall ensure all tournament organizers are advised of all fees due to US Fencing for sanctioned events in the future.

**Second: Mr. Kuver**

**Motion Passed**

4. Proposal for Naming Standards for Files – See Appendix R
5. Bylaws Review

**Appendix Q**  
**Proposed Amendments to Operations Manual from First Hearing Motion 5**

**NEW WORDING [indicated by italics and underline]**

**Chapter 2: USFA Membership.** Section 1: Rights of Membership. (Second Paragraph):

... Payment of dues to a Division Secretary or other duly appointed agent renders a fencer eligible only to fence in local sanctioned competitions ~~sanctioned by~~ in the Division where the dues were paid. Once the membership has been satisfactorily processed, the individual will receive a membership card.

**Chapter 3: USFA Competitions.**

**B. *Authorized/Sanctioned Competitions***

**A. Definition**

Webster's Concise English Dictionary defines sanction as: "official permission or approval." A USFA sanctioned competition refers to competitions that have been authorized by ~~USFA designated representatives who are responsible for the operation and conduct of official competitions (e.g. the USFA or one of its Divisions or Sections), as set forth below in Section 1C of this Chapter and are held~~ in accordance with the *Rules of Competition* and related modifications as specified in the current USFA Operations Manual.

...

**B. Competitor Status**

- 1) Current competitive members of the USFA may participate in competitions ~~scheduled by or under the auspices of the USFA Board of Directors or its authorized representatives: e.g., Division officers, Section officers, Regional Youth Coordinators, etc. as set forth below in Section 1C of this chapter.~~ Foreign fencers may fence in USFA competitions (non-qualifying competitions) by showing proof of membership in another fencing federation or a current season FIE License. Foreign fencers whose entry has been sent by the fencer's fencing federation do not need to show any other proof of membership.

...

**C. Competition Requirements**

- 1) ~~Competitive members of the USFA can earn classifications at competitions that have been sanctioned by recognized entities under the jurisdiction of the USFA Board of Directors: e.g., Officers of Divisions or Sections, Regional Youth Coordinators or the Tournament Committee. For a competition to be considered sanctioned it must be included in the Division or Section official schedule mailed to the members and/or posted on the corresponding web site or, in the case of Regional Youth Circuit~~

tournaments or National tournaments, published in the annual Athlete Handbook and/or posted on the Youth Committee web site, [www.usfaryc.org](http://www.usfaryc.org), and the USFA web site, [www.usfencing.org](http://www.usfencing.org), respectively. The specific categories of competitions at which classifications may be earned are described in Chapter 6.

- 1) Competitions may be held under the jurisdiction of any of the following:
  - a) A USFA member club in good standing at the time the tournament is held
  - b) The officers of a USFA Division
  - c) The officers of a USFA Section
  - d) The Regional Youth Coordinators
  - e) The USFA Youth Committee
  - f) The USFA Regional Open Circuit Advisory Group
  - g) The USFA Tournament Committee
- 2) Sanctioned competitions must be ~~organized and conducted by persons appointed by the appropriate USFA governing group, e.g., Divisions, Sections, Tournament Committee, Youth Committee, etc.~~ The competitions must be conducted in accordance with current USFA rules of competition as described in the *USFA Rules Book* and the *Operations Manual*. These competitions must be open to current USFA competitive members who meet the stated restrictions of the competitions, such as age category or the type of competition, e.g., Class “C” or Division II or similar restrictions, or as an Open with only minimum age restriction.
- 3) Sanctioned tournaments or competitions are those published by an acceptable USFA official (~~Division, Section, Regional Youth Circuit or National USFA~~) means of communication—~~in print, electronic media via email and/or official web site~~. Any deviation from published information about the sanctioned competitions – either in manner of operation or splitting or combining to increase the number of classifications to be earned can be the basis for withdrawal of the sanction and thus nullify award of classifications. The following are considered to be acceptable means of communication:
  - a. Communication in print must be sent at least to all members of the Division of the hosting organization (in the case that a club or the Division is the host) or to all members of the Section (in the case that a Section is the host).
  - b. Communications via website must be posted on a generally accepted forum for competitions defined to at least include the official website of the Division or Section of the hosting organization (except as outlined below). Other web locations widely accepted by the fencing community within the Division of the hosting organization are also acceptable. Disputes about what is considered to be “widely accepted” will follow the dispute procedure outlined below in Section 7 of this chapter.
  - c. Communication of Regional Youth Circuit, Super Youth Circuit, Regional Open Circuit or National tournaments will be published in the annual Athlete Handbook and/or on the USFA web site, [www.usfencing.org](http://www.usfencing.org).

- d. Communications must include the information outlined below in Section 3A of this chapter.
- e. Communications must be postmarked/posted at least 30 days prior to the close of registration of the first event listed for the tournament.

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## C. *Responsibilities*

### Member Clubs

Member Clubs may conduct sanctioned tournaments or competitions at a location which must have proper insurance coverage for the event. The club must ensure that such competitions are conducted in accordance with the current USFA Rules of Competition and operating procedures.

The Member Club must hold Club Membership under Chapter 2, Section 2B of this Manual.

The Member Club must NOT have been restricted from holding sanctioned competitions by the US Fencing Board of Directors or by a body delegated the responsibility to administer these restrictions by the Board of Directors.

### Division

~~Division competitions are the responsibility of the Division officers and its Executive Committee. Only those competitions published in the official Division schedule, whether by newsletter mailed to Division members or posted on the Division website, and which are conducted under the authority of the Division, are deemed to be sanctioned by the Division and may be considered for a rating whereby fencers may earn a classification, all other conditions specified in this Manual being satisfied.~~

Divisions are responsible for scheduling and conducting the Division qualifying tournaments at which fencers can qualify for specific individual competitions for the Junior Olympic Fencing Championships and for individual and team competitions at the Summer National Championships. The qualifying paths are described in Chapter 8.

~~The official published schedule is one that is printed and mailed to the members of the Division and/or posted on the official web site of the Division or its Section. At the beginning of each fencing season the Division should mail to its members of the current and prior season a postcard with its web site address and date when the schedule of competitions will be posted on its web site. In this way the Division keeps its members informed of the status of the schedule without extra mailings and in a way that all the competitors can access schedule details. It is recommended that the Division mail a printed version of the schedule to the clubs in its area with a note specifying that its web site will post changes to and details of the scheduled competitions. Members who can receive email messages should notify the Division of their current email address.~~

Divisions may, under their auspices, sanction competitions within their territorial boundaries that are organized by current USFA member clubs, individuals or other organizations who must have proper insurance coverage for the event, and for which the Division ensures that such competitions are conducted in accordance with the current USFA *Rules of Competition*

and operating procedures. ~~These competitions must be included in the official schedule of Division competitions to be considered “sanctioned” competitions.~~

~~It is a common practice that Divisions will list other competitions that are not “sanctioned” by the Division but rather are to inform its members of other competitive opportunities. The Division and/or Section should indicate which competitions or tournaments are not held under their authority, and therefore are not sanctioned.~~

(Renumber below as appropriate)...

**D. Scheduling of Competitions**

Member Clubs, Division and Section

The USFA fencing season officially begins on August 1 and ends July 31. Member Clubs, Divisions and Sections should adhere to the guidelines specified here.

~~The Division and Section~~ Schedules must include the information described in the following paragraphs.

- 1) ...
  
- 5) Any special regulations or conditions governing the competitions and/or the venue must be specified.
  - a. At the beginning of each season (and not later than October 1) each Section and Division must publish dates of team and individual competitions, including competitions from which fencers can qualify to enter competitions at the Junior Olympic Fencing Championships and/or competitions at the Summer National Championships. The official published schedule is one that is mailed to the members and/or posted on the official web site of the Division/Section.
  - b. In determining dates of competitions and/or tournaments, every effort should be made to avoid scheduling qualifying competitions on the same weekend as the national tournaments, i.e., the North American Circuit (NAC) tournaments.
  - c. Similarly, divisions should strive to avoid, to the extent possible, scheduling Youth14 qualifying competitions to the Summer Nationals on the same weekend as a Super Regional Youth Circuit tournament.
  - d. Division and Sections must give at least four weeks' notice of qualifying competitions to National Championships: Junior Olympics and Summer Nationals.

Each type of competition or tournament must be explicitly described in the schedule published by an authorized agent of the USFA: i.e., Member Club, Division, Section, Regional Youth Coordinator or the USFA. Some examples of competitions that might be held are given below. Competitions at a tournament are gender specific unless the schedule states that the competition will be mixed. The description given in the published schedule of any tournament must specify gender and the weapon which will be fenced.

All tournaments at which fencers can earn qualification to any USFA National Championship

competition must be gender specific, i.e., mixed competitions are NOT permitted in any qualifying competition<sup>1</sup>. In all other cases, if a sanctioning entity ~~Division~~ has determined that a mixed competition will be held if less than a certain number of fencers enter a competition, then that must be so stated: what that minimum number is, below which the competition will combine both the men and women's events in that weapon. Classifications can be earned in a mixed competition – see paragraph D below.

The schedule must indicate the possibility that a single gender competition could become a mixed competition if numbers so dictate or if participants express a desire for it to become mixed. Under no circumstances can a qualifying competition be a mixed competition<sup>1</sup>.

#### E. *Types of Tournaments*

##### **Open**

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##### **Closed**

A closed competition is a USFA competition in which eligibility is limited on the basis of sectional or division membership. Only Divisions or Sections may host tournaments that are limited on this basis and then they may only be restricted to members of the hosting Division or Section as appropriate. In a closed competition athletes must meet the minimum age requirement of 13 years old as of January 1<sup>st</sup> of the season or be on the National Junior Point Standings.

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#### Removal of Sanctioning Status for a Tournament/Competition and Loss of Ability to Sanction Future Events

Should a sanctioned tournament or competition be held that violates the procedures outlined in this Manual the tournament's sanctioned status may be removed after being held using the procedures outlined in this Section.

##### **Standing to Dispute a Tournament/Competition's Sanctioned Status**

The sanctioned status of a tournament or competition held under the authority of the President of the USFA and the Board of Directors which has delegated the responsibility to the Tournament Committee and the Executive Director may only be disputed by a member of the US Fencing Board of Directors.

The sanctioned status of a tournament or competition held under the authority of a Regional Youth Coordinator and/or the USFA Youth Committee may only be disputed by a member of the US Fencing Board of Directors.

The sanctioned status of a tournament or competition held under the authority of the USFA Regional Open Advisory Group may only be disputed by a member of the US Fencing Board

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<sup>1</sup> A specific exemption has been provided for the Regional Youth competitions in that for 6 or fewer entries in a competition, the competition can become a mixed competition for that age category.

of Directors.

The sanctioned status of a Qualifying Competition held under the authority of a Division or Section may only be disputed by (1) a member of the US Fencing Board of Directors or (2) a member of the Division (in the case of a Division Qualifying Competition) or Section (in the case of a Section Qualifying Competition) Executive committee from the Division or Section actually holding the event.

The sanctioned status of any other tournament or competition may be disputed by any of the following:

- 1) A member of the US Fencing Board of Directors;
- 2) A member of the Division Executive Committee from the Division in which the competition or tournament was held;
- 3) Any member of the USFA from the Section in which the competition or tournament was held.

### **Adjudicating Body**

Disputes brought by a member of the USFA from the Section in which the competition or tournament was held will be heard by the relevant Division Executive Committee.

Disputes brought by members of the US Fencing Board of Directors, as members of a Section Executive Committee or as members of a Division Executive Committee will be heard by the US Fencing Board of Directors or by a body delegated by the Board to hear disputes.

Individuals who are members of the Division Executive Committee or the US Fencing Board of Directors may choose to act only as members of the relevant section in the cases where they have the choice to act in either capacity.

### **Timing and Method of Disputes**

All disputes must be submitted in writing no more than 30 days following the end of the relevant event. The postmark or shipping date will determine if the time period was met.

### **Dispute Procedure**

Interested parties adjudicating a dispute must recuse themselves from the discussion and any vote held. Interested parties are defined as any of the following:

- 1) A member of any entity which collected entry fees from the event in dispute.
  - 2) A member of any entity (generally a member club) of which the person making the dispute is also a member (not including the USFA as a whole or any of its Divisions or Sections).
1. Disputes involving tournaments or competitions from Member Clubs must be sent to the appropriate Division's Secretary or President at the address delineated on the most recent Division mailing or on the Division's website accompanied by a check or money

order for \$25. If the dispute is upheld the monies will be reimbursed. If the dispute is not upheld the funds will be forfeit.

Upon receipt of the dispute, a copy shall be provided to the Member Club's representative by the Division's Secretary or President no later than 10 days after the postmark or shipping date of the dispute. This written notification will be sent to the address of record of the Member Club. The Division's representative may redact information from the written dispute if it is deemed appropriate to do so. Any response from the Member Club must be postmarked or shipped no later than 10 days after the postmark or shipping date on their written notification.

Divisions are responsible for convening a meeting of their executive committee within 30 days of the postmark or shipping date of the submitted dispute. The written submissions of the disputing party and any response from the Member Club should, along with any other information the Division Executive Committee deems relevant, be taken into account. The Division's executive committee may make any of the following rulings:

1. The dispute is not upheld. The tournament retains its sanctioned status. The dispute deposit is forfeit. Both the member club and the disputant must be sent the result in writing. This result must be postmarked or shipped no later than 10 days after the meeting.
2. The dispute is upheld. The dispute deposit must be refunded. If the dispute is upheld the following may be the result:
  - i. The problem was sufficiently minor to allow the results of the tournament to stand as a sanctioned event. A written warning must be issued to the Member Club's representative with the problems identified. This is a ONE TIME EXCEPTION. Any dispute of a similar nature submitted a second time may not be considered minor and must result in one of the following actions. Both the member club and the disputant must be sent the result in writing. This result must be postmarked or shipped no later than 10 days after the meeting.
  - ii. The problem was significant and invalidates the tournament's sanctioned status. Any ratings earned will be cancelled. No further action on the part of the Division need be taken. Both the member club and the disputant must be sent the result in writing. This result must be postmarked or shipped no later than 10 days after the meeting.
  - iii. The problem was extremely significant. The tournament's sanctioned status is invalidated. Any ratings earned will be cancelled. In addition, the Division recommends that further action be taken and that the Member Club's ability to conduct tournaments should be suspended for a period of time. In this case the Division must send both the dispute and any response from the Member Club to the US Fencing National Office along with the findings of the Division executive committee with a recommendation for further sanction and the reason for this recommendation. Both the member club and the disputant must be sent the result in writing along with the recommendation for further action. This result must be postmarked or shipped no later than 10 days after the meeting.

3. Either the Member Club or the Disputant may appeal the decision of the Division Executive Committee by following the procedure set forth below.
2. Disputes involving any other sanctioned tournament or competition or appeals of the decisions of Division Executive Committees must be sent to the US Fencing national office by mail at the US Fencing National Office accompanied by a check or money order for \$100. If the dispute is upheld the monies will be reimbursed. If the dispute is not upheld the funds will be forfeit.

Upon receipt of the dispute or appeal, copies shall be provided to all relevant parties including the Member Club's representative, the disputant, and the Division's/Section's Secretary or President as appropriate no later than 10 days after the postmark or shipping date of the dispute. This written notification will be sent to the address of record of the Member Club, disputant and/or Division/Section. The US Fencing National Office may redact information from the written dispute if it is deemed appropriate to do so. Any response from the Member Club, disputant and/or Division/Section must be postmarked or shipped no later than 10 days after the postmark or shipping date on their written notification.

US Fencing is responsible for convening a meeting of the body appointed (hereby known as the Tournament Dispute Group or TDG) by the US Fencing Board of Directors within 45 days of the postmark or shipping date of the submitted dispute/appeal. Any information deemed relevant may be taken into account. The TDG may make any of the following rulings:

- a. The dispute is not upheld. Either (a) the tournament retains its sanctioned status, if this is the body of first hearing,(b) no further sanction is deemed appropriate, in the case of a referral for additional sanction by a Division Executive Committee, or(c) the appeal is denied. The dispute deposit (if any) is forfeit. The member club, disputant, and/or Division/Section as appropriate must be sent the result in writing. This result must be postmarked or shipped no later than 10 days after the meeting.
- b. The dispute/appeal is upheld. The dispute deposit (if any) must be refunded. In the case where the TDG is the body of first hearing disputes upheld result in the following:
  - i. The problem was sufficiently minor to allow the results of the competition or tournament to stand including any ratings or points earned and any qualification to further events. The TDG may require the sanctioning authority to comply with specific procedures the next time a competition or tournament is held. Failure to adhere to these requirements at a subsequent competition or tournament will automatically result in the loss of sanctioning and will move to item ii of this section of the Operations Manual.
  - ii. The problem was significant and should invalidate the tournament's sanctioned status. The findings of the TDG must be referred to the Board of Directors or the Executive Committee for a determination of next steps and what will happen to any points/ratings/qualifications earned.
  - iii. The decision of the TDG may be appealed to the full Board of Directors by either the disputant or the respondent. In this case, there is a \$250 deposit and the procedures will be as outlined below in section D2c below.

In the case where the TDG rules that a decision of a Division Executive Committee must be overturned any of the repercussions listed above in this section of the Operations Manual D1 may be applied. In addition, the TDG may refer the case to the Board of Directors as outlined in section D2c below.

- c. The Board of Directors has responsibility for the following:
- i. To determine next steps in the case of a significant problem where the TDG was the body of first hearing. In this case the TDG should provide a recommendation as to how to solve the problem and must vote on any dispute that was received by the TDG more than 30 days prior to the meeting of the Board.
  - ii. To act as a final appellant body in the case where a dispute by the TDG is appealed. Any remedy listed above or below. The Board may overturn any decision made by the TDG or apply additional remedy it deems appropriate.
  - iii. In the case where the TDG recommends that a Member Club be denied the ability to sanction tournaments for a period of time the Board may determine whether or not to remove this privilege and for what period of time, may issue a warning that repeat offenses will be so decided or may decline to penalize the member club further.

## **Chapter 4: Tournament Management**

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*Jury of Appeal*

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### **Composition**

#### 1. *Member Club or Division*

The Jury of Appeal at a *member club* or divisional competition shall be composed of all current members of the Board of Directors...

## Section 5: Crisis Management Group (formerly "Act of God" Committee)

### **B. Sections, ~~and~~ Divisions, and Member Club**

Sectional, ~~and~~ Divisional, and *member club* competitions and/or tournaments may be cancelled, delayed, rescheduled or reformatted by the decision of a group composed of the BC chair, the organizing committee and all members of the Sectional or Divisional Executive Committee who are present at the competition...

## **Chapter 6: Classification System**

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*Types of Competitions for Ratings*

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## **Restricted**

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**MIXED:** A Division or club may schedule competitions open to both men and women...

~~The Division's~~ *Schedules* shall specify the conditions under which competitions will change from gender specific to mixed competition.

### *Administration of Classification*

1. ... To avoid questions with respect to individual fencers, each ~~Division, through its Executive Committee or other designated officer or committee,~~ *Sanctioning body* should certify all classification changes (both major and minor) to the National Office...

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6. Classifications can be earned only in regularly scheduled competitions run by the USFA, its Sections, its Divisions, *its member clubs*, or through official regional youth tournaments *or regional open circuits*. Classifications can only be awarded if adequate notice of the competition has been given to the members of the organizing body ~~via such means as a published schedule on the Division's web site, newsletter, or notices sent to all USFA clubs within the Division or Section as outlined in Chapter 3, Section 1, C, 3.~~ Classifications can be earned in competitions sanctioned by a body of the USFA but not run by that body (e.g., State Games) only after the sanctioning body has determined that the competition has been run in such a manner as to justify the awarding of classifications.

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### **Notes to Table 2: USFA Classification Reference Chart**

Changes in classifications are allowed at USFA sanctioned individual competition restricted to Veterans and to Junior fencers: *Member Club*, Division, Section and Regional Youth and Cadet competitions must meet or exceed criteria for C1 to award changes in classification. (BOD, July '02, July 03).

## **Chapter 7: Competition Procedures**

### *Seeding*

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#### Division and Regional Competitions

... Since those rankings reflect performance of the fencers among themselves, those may be more meaningful in seeding *Division or member club* competitions if the participants in the competition are just members of the Division...

In *Member Club*, Division and Sectional competitions, seeding can use the national rolling point standings within each classification or it can use just the classification, letter and year, for seeding.

*Formats*

General

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If the *Member Club or Division* sees a need for additional direct elimination bouts then it can add repêchage to its format in the direct elimination round, whether at complete tableau of 32 or of 16...

Whatever format the *Member Club Division or Region* decides to use, it must be announced and posted before the start of the competition.