



UNITED STATES CURLING ASSOCIATION
Board of Directors Meeting
December 16, 2021
Teleconference

APPROVED January 19, 2022

1. **Call to Order** - Chair Courtney Schmidt calls the meeting to order at 5:02 pm ET, December 16, 2021.
2. **Roll call**
 - Board Members**
 - Present** – Jeff Annis, Charlie Brown, Terri Gleason, Darryl Horsman, Courtney Schmidt (Chair), Roger Smith, Alex Agre, Elizabeth Demers, Shane Coppola, Lynn LaRocca, Hawley MacLean, Bill Stopera.
 - Absent** – Colin Hufman.
 - Quorum** - 12 being present in total seven being required, we have a quorum.
 - Non-Board**
 - Committee Members** – Russ Lemke.
 - Staff/Non-Board Executives** – Eric Gleason (CFO), Gordon Maclean (Secretary, recording), Jeff Plush (CEO).
 - Guests** – None
3. **Appointment of Parliamentarian** – The Chair appoints Gordon Maclean as Parliamentarian.
4. **Additions/changes to the agenda** – None
5. **Discussion/approval of Meeting Minutes** – October 1 and October 2, 2021, USA Curling Board of Directors meetings. Motion to accept the minutes by Annis, second by Gleason. Motion approved on a unanimous voice vote.
6. **ACTION** – Adoption of Policy 21-15, Membership Suspension, Termination, and Reinstatement Process. This policy has been put forward by the Governance 3.0 Committee. (Meeting minutes attached as Appendix A)
 - a. This policy represents an item that the committee had removed from the bylaws as a policy and not governance-related (old bylaws Sections 5.6 and 5.8.) However, in putting together the package of replacement policies passed by the Board in October, this particular policy was left out through clerical error. It was noted that this specific policy is cited several times in our bylaws. The committee reviewed the policy’s wording and made minor changes to make its application more flexible. Changes were also made to policy functions that were operational, moving those from Board actions to staff.
 - b. Motion to approve the adoption of this policy by MacLean, seconded by Coppola. Motion approved on a unanimous voice vote.
7. **ACTION:** – Adoption of revised Policy 21-13, Code of Conduct.
 - a. The United States Olympic and Paralympic Committee (USOPC) sent notice of an item that many national governing bodies have been cited for as deficient in recent audits. The item specifies that an NGB will not give job references to anyone who violated Center for SafeSport policies or

was convicted of a crime related to sexual misconduct. The USOPC notice made no requirements for placement of this item in governance documents. It was felt that this item was operational and not “governance” related. Modifying the USA Curling Code of Conduct was deemed appropriate. It was noted that the USOPC put forward the specific wording under consideration.

- b. Motion to approve the modification to the Code of Conduct by LaRocca, seconded by MacLean. Motion carries on a unanimous voice vote.

8. CEO Report –

- a. Olympic Trials - We had very successful Olympic trials in Eveleth and Omaha. Web streaming of the events was successful and necessary as part of the Olympic build-up. No covid related issues at either event. Mixed Pairs (Persinger/Plys) qualified in the Netherlands for Beijing. We should be proud and optimistic about our teams traveling to Beijing. Congratulates the Paralympic team, having emerged from the B-level to qualify for the Paralympics and have a good chance to medal.
- b. Media Coverage of Curling – Very positive pre-games meeting with NBC. There will be a lot of curling exposure across the various NBC networks, and morning draws in Beijing are timed for primetime coverage in the US. About seven million people saw Team Shuster on NBC’s “The Voice.”
- c. Staff - Dean and Jenna have been working hard working with clubs and getting our “Learn to Curl” strategies out (less granular, more rocks). Staff will be taking one Friday each month off from being connected to “unplug.” Jenny Biadasz has left and today is Steve O’Keefe’s last. Jenna Burchesky is now full-time. The staff is unified and collaborative.
- d. Other Events –
 - i. Potential to move Curling Night in America to Nashville. We are also looking at a potential format change in the event and including off-ice events. Given the excitement foreign teams had attending the event in Irvine this past summer, there should be no problem getting their interest in traveling to Nashville.
 - ii. There will be curling events during the Olympics on the Vikings campus. This will include five sheets of outdoor pond curling. We plan on having Olympian families there to help them celebrate as Beijing will be athletes only. We are discussing the possibility of having NBC interview Olympic family members.
 - iii. L.A. Live - Shane Coppola is working with the Anschutz Entertainment Group, which owns the Los Angeles Kings, Lakers, Clippers, and Sparks, and operates the adjacent Staples Center in Los Angeles. We are working to install a pair of small curling sheets on an outdoor ice sheet at the Center during early January for people to try curling. Southern California CC will hold Learn to Curls and demonstration games. There is significant visitor traffic in the area during that time and should be a significant exposure.
 - iv. NBC will have curling at Rockefeller Center in New York City.

9. Old Business – None

10. New Business – None

11. Key Items of Agreement – Policies, CEO report.

12. At 5:36 pm ET, the meeting moves into closed session. Secretary leaves the meeting.

13. **Next Board Meeting – January 19, 2022, 7:00 pm ET**

Appendix A

Governance 3.0 Task Force Meeting Minutes Teleconference December 7, 2021

1. Meeting Called to Order at 7:01 pm ET
2. Present: Charles Brown, Alex Agre, Russ Lemke, Courtney Schmidt, Marc Beyer, Jeff Plush, Gordon Maclean (Chair, recording)
3. Absent: Doug Potter
4. Schmidt and Maclean explained the reason for this meeting. In August, during the process in which we were consolidating many of the items that had been extracted from the bylaws into a more manageable set of policies, one of these (the Membership Suspension, Termination, and Reinstatement Policy) failed to be included in the package that was sent to the Board for its approval.

This policy wording includes segments from the 2014 Bylaws; as amended in December 2020, Sections 5.6 and 5.8 were removed from the bylaws adopted in October. However, because the policy which contained the wording was not included in the package approved by the Board, its provisions were not in effect. As such, there is no bylaw amendment required.

It was also noted that this policy is referenced several times in the current version of our bylaws and therefore is a required element of our governance/policy structure.

5. Motion:
 - a. Motion by Lemcke to refer to the USA Curling Board for their consideration “Policy 21-15 - Membership Suspension, Termination, and Reinstatement Process Policy.”
 - b. Motion seconded by Brown.
 - c. Motion passes on a unanimous voice vote.
6. The document for consideration is appended to these minutes.
7. Meeting adjourned at 7:28 pm ET.

Policy 21-15
USA CURLING – Membership Suspension, Termination, and Reinstatement
Process Policy

PROPOSED December 2021

1. Purpose

Procedural guidelines for membership suspension, termination, and reinstatement.

2. Applicability of Policy

This policy applies to any situation regarding membership suspension, termination, or reinstatement, involving any Member.

3. Definitions

Member

As defined in USA Curling Bylaws Article 5.

4. Membership Suspension and Termination Process

Between the date of suspension or termination by the Board of Directors and a meeting of the Members' Assembly, the affected Member may request a hearing before the Judicial Committee. A Member must file for said hearing within thirty (30) days of the date notice was given to the Member of said suspension or termination. Said thirty (30) day period shall commence with the date notice of suspension or termination by action of the Board of Directors is mailed, faxed, or emailed. Said Member shall be entitled to only one hearing. The Member shall not have any hearing rights if membership is suspended or terminated by a vote of the Members.

5. Membership Reinstatement

Upon written request setting forth reasons for reinstatement signed by a former Member, which request must be filed with the Secretary of USA Curling and provided outstanding action, dues, assessments, and other charges or in amounts as determined by the CEO have been fully paid, the Board of Directors may, by an affirmative two-thirds ($\frac{2}{3}$) vote reinstate such former Member upon such terms as may be deemed appropriate. If said former Member is reinstated by the Board of Directors, said reinstatement shall be provisional subject to an affirmative two-thirds ($\frac{2}{3}$) vote by the Members. Said two-thirds ($\frac{2}{3}$) vote shall be determined excluding the vote of said petitioning former Member.

Appendix B

**Proposed update to
USA Curling Policy 21-13 Code of Conduct**

Explanation and Rationale:

The proposed change to this policy (highlighted red in the body of the existing text) is a required compliance update from the USOPC.

The USOPC offered a few suggested locations this language could be fitted into the NGB's structure. After consideration their suggestion of incorporating this item into the Code of Conduct fit best for us.

USOPC indicated "The new Act requires that NGBs not give job references to anyone who violated Center policies or was convicted of a crime related to sexual misconduct."

Policy 21-13 Code of Conduct

Adopted October 1, 2021

Modification Proposed December 2021

1. Introduction

This Policy nullifies and replaces the existing USA Curling Policy 19-05, adopted October 11, 2019. Every USA Curling member has the power and the responsibility to shape the culture within our sport. By practicing our shared values and staying focused on our highest priority – the safety and well-being of our athletes – we can promote an environment that empowers and supports athletes and makes participation in the sport a positive and rewarding experience for all members.

The USA Curling Code of Ethical Conduct (the “Code”) is our collective commitment to work ethically in all instances. It offers a tangible way to put our values into practice and guidance in situations that have potential or actual ethical implications. Ultimately, the effectiveness of the Code depends on a personal commitment from every member of the curling community.

This Code is divided into three sections: (1) the Athlete Bill of Rights; (2) Ethical Obligations; and (3) Resolution of Ethical Issues. The Code does not address misconduct or abusive behaviors. Instead, the USA Curling Safe Sport Policy provides the definitions and mandatory reporting requirements for misconduct and abuse.

All members, employees, volunteers, Board members, committee and task force members of USA Curling, and contractors (collectively, “members of USA Curling” or “members”) are required to implement and adhere to this Code.

Members of USA Curling are also required to accept the requirements of and comport themselves in accordance with (a) the rules, policies, and procedures of USA Curling and the United States Olympic and Paralympic Committee (“USOPC”); (b) the Olympic Movement Code on the Prevention of the Manipulation of Competitions; and (c) all applicable state and local laws.

No element of this policy shall be interpreted to contradict any of the USA Curling Bylaws.

2. Athlete Bill of Rights

All members of USA Curling are committed to ensuring that athletes have a safe, inclusive, and supportive environment in which to train and compete and that each athlete has the ability to:

a. Participate in Curling

Curling is inclusive and open to everyone. All athletes have the right to participate, regardless of their age, race, ethnicity, gender, sexual orientation, gender identity, mental or physical disability, national origin, religion, or any other basis proscribed by law. Athletes have the right to participate at a level commensurate with their maturity and ability and shall be given an equal opportunity to strive for success.

b. Train and compete safely

Safety is paramount. All athletes have the right to:

- i. Participate in an environment that is free from emotional, sexual, or physical abuse;
- ii. Train and compete in a safe environment, free from inappropriate physical hazards, bullying, hazing, harassment, stalking, violence, or similar threats; and
- iii. Train and compete on equipment that is clean, appropriately fitted, and properly maintained.

- c. Have their personal health and wellness prioritized
Athletes have the right to pursue a healthy lifestyle that includes proper nutrition, mental health support, injury prevention and care, and necessary rest and recuperation, especially when healing from injury.
- d. To be treated with dignity and respect
Athletes have the right to be treated fairly and with dignity and respect. They have the right to make mistakes and fail without fear. They have the right to be respected, encouraged, and supported appropriately by other athletes, parents, coaches, judges, spectators, event officials, and those in positions of authority.
- e. Receive proper instruction
Athletes have the right to:
 - i. Be coached by individuals who are knowledgeable and have received appropriate training.
 - ii. Be properly prepared for participation by those in positions of authority, including coaches, club owners, and administrators.
 - iii. Question or report improper behavior or violations of the Safe Sport Code, including coaches or club owners, without fear that doing so shall negatively impact their participation or success.
 - iv. All athletes (particularly minor athletes) are entitled to have their parents observe coach/athlete interactions.
- f. Integrity and Transparency
Athletes have the right to fair and transparent procedures and policies within their discipline – including selection procedures – that demonstrate integrity and are free from conflicts of interest, impropriety, and favoritism.
- g. Provide input on matters that directly affect them
Athletes have the right to provide input and have their voices respected in matters that directly affect them.
- h. Voice opinions on issues that affect the curling community
Athletes have the right to respectfully express themselves on issues that impact the curling community, with the confidence that doing so shall not jeopardize their ability to participate and/or negatively impact their success.

The foundational philosophies of this Bill of Rights are separate from but intended to guide the responsibilities of each individual member included in the Ethical Obligations of Members (below), the [Safe Sport Policy](#). Ethical Obligations should be interpreted with these principles in mind.

3. Ethical Obligations of Members

- a. Promotion of a Safe, Positive, and Healthy Environment for All
Members have an ongoing obligation and commitment to ensure a safe and healthy environment for all curling participants. Consistent with this obligation, members must:
 - i. Make decisions in the best interest of athletes.
 - ii. Maintain a safe training and competing environment.
 - iii. Promote a culture of trust and empowerment.
 - iv. Respect the fundamental rights, dignity, and worth of all participants.
 - v. Encourage a healthy lifestyle and support nutritional well-being.
 - vi. Promote and respect all Safe Sport principles.
- b. Commitment to Integrity
Members have a responsibility to uphold the integrity of the sport and to act honestly, openly, fairly, and competently. Members must:

- i. Be knowledgeable of, understand, and follow USA Curling rules and policies, and refrain from knowingly misrepresenting or misinterpreting such.
 - ii. Promote fair play.
 - iii. Maintain respect on and off the ice and refrain from intimidating, embarrassing, or improperly influencing any individual responsible for participating in or administering a competition.
 - iv. Follow the established procedures for challenging a competitive result.
 - v. Make honest certifications regarding compliance with USA Curling's policies, procedures, or membership requirements.
 - vi. Avoid engaging in business practices directed toward another Member that are known to be or are determined by a court or similar adjudicatory body to be unethical, illegal, or a breach of contract.
- c. Participation and Inclusion
- Members have the right to participate in any USA Curling activity or event for which the member is properly qualified under the rules of that activity or event and may participate to the best of their abilities at their own discretion:
- i. Members may not knowingly participate in or cause others to participate in any activity or event where that individual is inadequately prepared or unable to participate safely.
 - ii. Members must promote positive participation and avoid behavior that is likely to interfere with the orderly conduct of the activity or other members' participation in or enjoyment of an activity or event.
 - iii. Members must respect the rights and opinions of others.
 - iv. Members must facilitate cooperation in order to serve athletes and other participants effectively and appropriately.
 - v. Members must promote inclusion and an environment free of discrimination. Members may not:
 - Restrict the ability of a member to qualify for or participate in competition because of the member's association with a particular organization or individual or because of that Member's race, sex, creed, sexual orientation, gender identity, age, national origin, mental or physical disability, or any other basis proscribed by law.
 - Discriminate in the allocation of resources or opportunities to any member or prospective member on the basis of race, sex, creed, sexual orientation, age, national origin, mental or physical disability, or any other basis proscribed by law.
- d. Communication
- Members of USA Curling have a duty to communicate honestly and openly and must:
- i. Respect the voice of athletes, particularly in matters that affect them.
 - ii. Strive to promote the sport and athletes.
 - iii. Provide all information and resources necessary to enhance a curler's enjoyment of the sport or reduce their risk of injury or illness.
 - iv. Refrain from unsportsmanlike comments or behavior.
 - v. Address differences in a calm and respectful manner.
 - vi. Clearly communicate roles, responsibilities, and expectations.
 - vii. Avoid making false or misleading claims; or falsify, or omit any information, record or document, or other evidence for any purpose.
 - viii. Accurately represent competitive achievements, professional qualifications, education, experience, eligibility, criminal record, other misconduct, and/or affiliations.
- e. Concern for the Welfare of Others
- Members shall seek to contribute to the welfare of curling participants and must:

- i. Promote a culture of empowerment with a focus on athlete health and safety.
 - ii. Comply with mandatory reporting requirements established by federal law, the U.S. Center for SafeSport, and USA Curling Safe Sport Policy.
 - iii. Proactively address potentially harmful behavior or an unsafe environment.
 - iv. Be sensitive to any imbalance of power.
 - v. Resolve conflicts in a professional manner.
- f. Professional Responsibility
- Members have the responsibility to aspire to the highest possible standards of conduct and must:
- i. Prioritize athlete welfare.
 - ii. Faithfully complete and comply with USA Curling membership requirements.
 - iii. Strive to maintain high standards and excellence.
 - iv. Seek to increase proficiency levels through continuing education and in consultation with other professionals.
 - v. Participate only at a level of the sport in which an individual is qualified and prepared for.
 - vi. Accept appropriate responsibility for one's own behavior and report any unlawful or other inappropriate conduct of others in accordance with Section II below.
- g. Alcohol and Drug-Free Environment
- Members of USA Curling must ensure that the sport is conducted in an environment free of drug or alcohol abuse. Members may not:
- i. Use or provide to a third party any illegal (scheduled) drug pursuant to applicable federal, state, or municipal law.
 - ii. Assist or condone any competing athlete's use of a drug banned by any applicable governing body, or, in the case of athletes, use such drugs or refuse to submit to properly conducted drug tests administered by any governing body.
 - iii. Provide alcohol to or condone alcohol use by minors; consume alcohol while engaging in USA Curling activities, including coaching and/or training and/or competing; consume excessive alcohol in the presence of athletes or at USA Curling' events, or consume alcoholic beverages while a minor.

h. Job Reference Limitations

No individual who is an employee, contractor, or agent of USA Curling may assist a member or former member of USA Curling in obtaining a new job (excluding the routine transmission of administrative or personnel files) if the individual knows that the member or former member: a) violated the policies or procedures of the U.S. Center for SafeSport related to sexual misconduct; and/or b) was convicted of a crime involving sexual misconduct with a minor in violation of applicable law or the policies and procedures of the U.S. Center for SafeSport.

4. Resolving Ethical Issues

All members of USA Curling have an obligation to be familiar with the principles outlined within this Code.

Members should be alert and sensitive to situations that could result in unethical, illegal, or improper actions.

The specific methods, requirements, and procedures for reporting and resolving possible ethical violations of the Code are found in the Complaint Procedures (USA Curling Policy 21-05).

The Complaint Procedures provide for informal resolution of ethical violations, the reporting of possible ethical violations (including anonymous reporting), and formal dispute resolution procedures for violations of the Code. The Complaint Procedures outline, among other things, who can submit a complaint, the requirements for a complaint, the process for responding to a complaint, the rights and responsibilities of the parties involved in the process, and the formal hearing process for resolution of complaint.

5. Anti-Retaliation and Additional Resources

a. Anti-Retaliation.

Under no circumstances shall an individual be subject to any disciplinary or retaliatory action for filing, in good faith, a report of a violation or potential violation of the Code. However, filing known false or malicious reports will not be tolerated, and anyone filing such reports will be subject to appropriate disciplinary action.

b. Additional Resources.

The Office of the Athlete Ombuds and its staff (the Athlete Ombuds) offers independent, confidential advice to athletes regarding their rights and responsibilities in the Olympic and Paralympic Movement, and assists athletes with a broad range of questions, disputes, complaints, and concerns. The Athlete Ombuds' focus is to serve athletes who represent the U.S. in international competition. The Athlete Ombuds operates on the core principles of confidentiality and privacy, independence, and impartiality.

Additional information about, and contact information for, the Athlete Ombuds can be found online at <https://www.teamusa.org/athlete-ombuds>.