

USAC Members Assembly – Member Proposals 1-4 Supporting Statement

The ongoing issue between USA Curling (USAC) and the Grand National Curling Club (GNCC) has been acrimonious, and full of disagreements, accusations, and misleading statements and positions. However, the one item that is missing from this debate is a SOLUTION.

The USAC's Board of Directors, in voting to expel the GNCC as a region, and therefore by extension the approximately one-quarter of the curlers in the US that it represents, is in direct conflict with its mission statement of growing the sport of curling in the US, and representing the best interests of the members it represents.

The USAC and the Board of Directors, by actions taken¹ and public statements² has changed the model of membership and dues collections from one that involved the Clubs and Regions, to one where individual curlers register as members and pay dues directly to USCA, bypassing the Clubs and Regions. However, Bylaws and Policies were not correctly updated as part of this change, and still contain outdated references to the previous dues/membership model, and therefore are inconsistent and contradictory.

At the core of the dispute, the USAC, while wanting to control the membership process directly, is still expecting the Regions and Clubs to act as their membership "enforcers" in a process that the Clubs and Regions no longer have any control over.

Therefore, the solution is to update the Bylaws to remove outdated sections and update them for the current membership model. As such, we are submitting the following 3 proposals at the Members' Assembly, as permitted under USAC Bylaws sections 10.9(a) and 22.1:

Proposal 1 – Implement Individual-based membership rather than club-based membership in USAC

This proposal amends the bylaws to define a member as strictly an individual, and corrects language that identifies a club as a member, and further clarifies the status and responsibilities of a Club.

Proposal 2 - Changes to the Members' Assembly, including right to vote, accessibility, and quorum changes.

This proposal amends the bylaws pertaining to the Annual Members' assembly, correcting voting and quorum rules to be consistent with individual membership. It also requires the Members' Assembly to be available to members virtually or by other electronic means to allow remote attendance. Currently, this is at the discretion of the Board.

Proposal 3 – Changes to the relationship between USA Curling the Regional Curling Associations.

This proposal amends the bylaws pertaining to Regional Associations, The role is re-designated to be an entity that supports it's member clubs, grows the sport on a regional basis, and hosts competitive selection events to determine teams that will compete in USAC National Competitions that are regionally based. It also clarifies it's lack of role in the membership process, and under what specific circumstances, and the process, for it to be removed by the USAC

Furthermore, as good governance depends in part on an organization's governing documents, policies and procedures to be consistent, and good governance is essential to improve communication between USA Curling and its Members, and to improve delivery of services, we therefore also submit advisory proposal 4 as permitted under USAC Bylaws sections 10.9(b):

Proposal 4: Review and updating of Policies, Rules and other governing documents to be consistent with the Bylaws and each other

This proposal directs the Board of Directors and CEO to initiate a review all of the governing documents, rules, policies, and procedures of USA Curling, and identify and implement changes in said documents to make them consistent with the Bylaws. Note that this proposal is not dependent on the approval or rejection of any of the preceding proposals.

¹ Action by Board of Directors to amend bylaws to create "Individual Membership" (Members' Assembly, November 14, 2020, Agenda Item 13b)

² Email from USAC Member Services to all individual members, Feb 1, 2021 introducing MyUSACurling/Sport80: "our member services team has been hard at work developing USA Curling's membership into one that allows the individual member to sign-up directly through the new myusacurling.com. Historically, USCA dues have been included in the dues that each club member pays to their club. While you will still be able to work with your Club Administrator as in the past, individuals can also now sign up for, manage, and edit membership on their own."

Proposal 1: Implement Individual-based membership rather than club-based membership in USAC.

Motion:

Make the following modifications to the USA Curling Bylaws, as adopted October, 2021:

I: Page 7 – Section 5.1 – Categories of Membership – Clause a) - Strike in whole and replace with:

- a) USA Curling shall have membership comprised of all individual curlers who have paid individual dues, and met other requirements as set by the Board of Directors in Section 5.2 for the current year.
 1. Dues will be due and payable by January 31st of a given year for the calendar year. Members who do not renew their dues payments by January 31st will be removed from the membership rolls until such time as they pay their dues for the year.
 2. The Board of Directors may establish multiple categories of individual membership, with different membership dues. Such categories must be based upon levels of service rendered to the member.
 3. The Board of Directors may establish Multi-Year or Lifetime membership categories. Those categories may be offered at a discount rate from annual dues.
- b) Curling Clubs may voluntarily choose to handle membership dues collection and payment to USA Curling for their club members.
 1. A Curling Club choosing this option must submit a roster of USA Curling members for the year, as well as any category of membership chosen by its members, no later than January 31st, along with payment for those memberships.
 2. The Curling Club choosing this option does NOT become a member of USA Curling in its own right, its individual members paying dues are the members, just as if the individual members had paid dues directly to USCA.
 3. A Curling Club may choose to allow Non-USA Curling Members to be a member of its club. Non-USA Curling Members are not to be listed in the roster of USA Curling Members, nor are USA Curling dues to be collected for such Non-USA Curling Members.
 4. USA Curling has no authority to sanction a Curling Club for the number of members or Non-USA Curling Members the Curling Club may have.
 5. USA Curling is not obligated to provide services to Non-USA Curling Members, and it is allowed to consider the number and membership percentage of the members of the Curling Club when examining bids to host events, receive grants from USA Curling funds, or when making other requests of USA Curling.

II: Page 7 – Section 5.1 – Categories of Membership – Clause b) – Remains in the By-Laws but is renamed to clause c)

Proposal 2: Changes to the Members' Assembly, including right to vote, accessibility, and quorum changes.

Motion:

Make the following modifications to the USA Curling Bylaws, as adopted October, 2021:

I: Page 28 – Article 10 – Annual Members' Assembly - Section 10.2 – Place – Add the following clause:

- b) Even if the assembly is being held at a physical location, the assembly will also be broadcast to paid individual members of USA Curling. This may be done via conference call, web streaming service such as Zoom, or other similar communications equipment, which may be separate from any conference call or similar that Board Members are using. Members attending via this mechanism may be put in a "listen only" mode unless they have the floor to address the assembly.

II: Page 28 – Article 10 – Annual Members' Assembly - Section 10.4 – Member's Vote – Remove and replace with the following:

- a) Individual Members of USA Curling in good standing shall be entitled to vote at the Members' Assembly on all matters before it, other than a vote concerning their individual membership.
 - i. An Individual Member must indicate to USA Curling their intent to attend and be counted for purposes of voting at the Members' Assembly, either physically or via remote accessibility, no later than 21 days prior to the Members' Assembly.
 - ii. Once the number of attending and voting members is established, the Athlete-Elected Representatives shall be allocated a number of votes equal to $\frac{1}{2}$ of the number of Individual Members attending (rounded up to the nearest whole number), which will be divided by the number of Athlete-Elected Representatives attending as evenly as practicable.
 - a. Example: 300 Individual Members indicate their intent to attend. 150 additional votes are allocated to the three Athlete-Elected Representatives who have indicated their intent to attend evenly, 50 to each (in addition to the Representatives' individual vote, therefore giving each 51 votes in total). This brings the total number of votes for the Members' Assembly to 450, $\frac{1}{3}$ of which are allocated to the Athlete-Elected Representatives.
- b) Individual Members of USA Curling may delegate their votes to another member of their Curling Club or Regional Association via Proxy.
 - i. An Individual Member wishing to delegate their vote via Proxy must indicate such, identifying the person who will hold their proxy, to USA Curling no later than 21 days prior to the Members' Assembly.
 - ii. A Proxy may only be voted by a person who is an Individual Member of USA Curling in good standing as of the date of the Members' Assembly.

- iii. Athlete-Elected Representatives may not delegate their vote via Proxy. If an Athlete-Elected Representative is unable to attend the Members' Assembly, their votes will be divided between the attending Athlete-Elected Representatives.

III: Page 29 – Section 10.5 – Delegates – Remove in full, renumbering all proceeding sections as appropriate

IV: Page 30 – Section 10.6 – Quorum (renumbered to 10.5) – Change to the following:

At the annual Members' Assembly and at any special meeting of the Members' Assembly, for there to be a quorum, the number of votes represented by Members attending in person or voting via Proxy must equal or exceed the majority of the number of Individual Members in good standing of USA Curling. This count for quorum will not include the additional votes granted to Athlete-Elected Representatives, but Athlete-Elected Representatives will count as Individual Members for this count for quorum.

Proposal 3: Changes to the relationship between USA Curling and Regional Curling Associations.

Motion:

Make the following modifications to the USA Curling Bylaws, as adopted October, 2021:

I: Page 11 – Article 6 – Regional Associations - Strike and replace with the following:

ARTICLE 6 – REGIONAL ASSOCIATIONS

Section 6.1 – Regional Associations

- a) Regional Curling Associations are as defined in this document’s preface “Definitions.”
- b) The Board of Directors shall recognize Regional Curling Associations in accordance with USA Curling policy. Regional Curling Associations in existence at the time of the adoption of these By-Laws shall continue as such.
- c) As the membership of USA Curling changes, it may be appropriate for USA Curling to recognize new Regional Curling Associations or adjust the borders of existing regions. The Board may recognize new regions or recommend changes of the borders of existing regions per USA Curling Procedures.
- d) Any action recognizing new regions or changing the borders of existing regions must be ratified by a majority of votes at a Members’ Assembly or Special Members’ Assembly before becoming effective at the beginning of the succeeding curling season (September 1st).

Section 6.2 – Curling Clubs Assigned to a Region

- a) An individual Curling Club may petition USA Curling for assignment to a Regional Curling Association other than the one with which they are then presently associated with geographically.
- b) If an individual Curling Club does not wish to be associated with any Regional Curling Association, they may petition to be considered “At-Large”.
- c) The Board of Directors shall make determinations on either of these petitions based upon the best interests of USA Curling, but should generally allow a Curling Club to be a member of the Regional Curling Association which best meets its needs, or none at all.

Section 6.3 – Duties of a Regional Association

- a) Regional Curling Associations have the responsibility for furthering the spirit and expansion of the game of curling in their regions, assisting their member clubs when desired, and representing and promoting Curling to local and state governments in their region.
- b) Regional Curling Associations are responsible for management and running of selection procedures to identify teams to compete at National Championships and other similar events which are determined by the Board to be Regionally Based.

- i. Any persons participating in a selection competition for a National Championship must be an Individual Member of USA Curling at the time or registration for the event and must remain in good standing through the ending date of the relevant National Championship.
- c) Regional Curling Associations may have their own separate By-Laws, collect their own separate dues assessments from members or member clubs, and determine their own rules for membership.
- d) Regional Curling Associations are expected to support the interests and goals of USA Curling in general, but they are expected to represent the interests and desires of their member Clubs to USA Curling via their appointed Board Members.
- e) Regional Curling Associations have no role in the administration or collection of dues from Individual Members or Curling Clubs for USA Curling.
- f) If a Regional Curling Association has member Clubs or Individual Members who are not members of USA Curling, those members are not to be counted by USA Curling for purposes of determining which regions are entitled to Board seats under Section 7.6.a.
- g) Regional Curling Associations shall comply with all obligations and requirements that NGBs must follow under the Ted Stevens Act and USOPC bylaws.

Section 6.4 – Removal of a Regional Association

- a) The Board of USA Curling may, if necessary, move to terminate the relationship between itself and a Regional Association for Good Cause.
 - i. “Good Cause” is defined as demonstrable actions taken by the Regional Association which are harmful to USA Curling as a whole, or by membership of the Regional Association falling to such a level as to be incapable of adequately representing the clubs in its area.
 - ii. “Good Cause” is specifically NOT defined as the Board of the Regional Association disagreeing with an action taken by USA Curling.
- b) A Motion by the Board of USA Curling to terminate the relationship between itself and a Regional Association must pass the Board by a 2/3 vote. Any Board member appointed to their seat as a representative of the Regional Association shall have no vote on this matter.
- c) Any motion by the Board to terminate the relationship between itself and a Regional Association must then be ratified by a 2/3 vote at a Members’ Assembly.
 - i. Individual members of USA Curling who are members of the Region being voted upon are entitled to cast their votes, including via proxy, on this question.
- d) If the motion passes the Members’ Assembly, it becomes effective at the beginning of the following curling season (September 1st).
 - i. Any regionally based playdowns for the current season will continue as before, with no discrimination against the region’s qualified team at the relevant National Competition.
 - ii. Any Board Member who was appointed to their seat as a representative of the Regional Association being removed is automatically removed from

their seat. Effective upon the ratification of the motion, the seat will be filled from the next largest Regional Association not already having an individual Board Member at the next regular Board meeting.

- iii. Any Clubs who are members of the Regional Association being removed may petition to be considered as members of another Regional Association, or to stand as At-Large, or to form a new Regional Association. This choice needs to be made in adequate time before the beginning of the next curling season.
- iv. No punitive action may be taken against a Curling Club if they chose to remain a member of the Regional Association who was removed. However, that relationship will be irrelevant for any matters pertaining to USA Curling.

II: Page 13 – Article 7 – Section 7.6 – Member-Elected Directors – Strike the following two phrases:

“three Member States and/or” and “Member/State”

Proposal 4: Review and updating of Policies, Rules and other governing documents to be consistent with the Bylaws and each other

Motion:

The members of USA Curling directs the Board of Directors, the CEO, and appropriate sub-committees and support staff, to undergo a review all of the governing documents, rules, policies, and procedures of USA Curling, and identify and implement changes in said documents to make them consistent with the Bylaws.