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## *APPEALS & CHARGES*

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### **Item 203-02: CDR Revisions**

The following revisions be made to the CDR:

#### **Definitions:**

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

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

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

- (1) An Appeal of the decision of that District's District Disciplinary Committee, except a decision against or for a Unit as an entity that had been brought as set out in CDR § 801.
- ~~(2) Disciplined Person accused of violating their discipline when that District's District Appellate Committee imposed the alleged discipline violated. (See CDR § 401(B))~~
- ~~(3)~~ (2) When otherwise expressly stated in this CDR.

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

- ~~(4) Cases in which~~
  - ~~(i) circumstances make it impractical or unfair for a matter to be handled by the District; or~~
  - ~~(ii) the issues involved are of paramount importance to the ACBL.~~

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

(4) Cases in which:

- (1) Circumstances make it impractical or unfair for a matter to be handled by the District, or
- (2) The issues involved are of paramount importance to the ACBL.

ACBL Management may use the Executive Committee of the ACBL Board of Directors to make a determination under subrule (d). In these disputes or cases, the ACBL Board of Directors delegates its duties as Charging Party to the Executive Director to act on its behalf. Any dispute or case that results in a Charge shall be heard by the ACBL Disciplinary Committee.

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

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

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

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

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

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

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

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

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

- (1) Receive written notice of the date, time, and place of the hearing. Even if a person admits to a Charge, unless pursuant to a Negotiated Resolution (as set forth in CDR § 502(L)), a hearing shall nevertheless be held to determine and impose appropriate discipline.

- (2) Be furnished with a written statement of the Charges, the Complaint upon which the Charges are based (or a summary of the facts of such Complaint), and the name of the Complainant.
- (3) Be present at the hearing, which presence may be electronic and/or in person.
- ~~(34)~~ Be represented at the hearing by another person who shall not be a member of the ACBL Board of Directors.
- ~~(45)~~ Produce evidence and make statements on his/her own behalf.
- ~~(56)~~ Be present during the entire hearing, except during procedural determinations and deliberation on verdicts and imposition of discipline.
- ~~(67)~~ Question persons testifying. The chairperson may restrict this right if abused.

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

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

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

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

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

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

§ 903(C) **Timing.** All disciplines will be published on the ACBL website for the length of time of the discipline levied. Hearing reports made available under § 903(A) will be published on the ACBL website upon issuance. Expulsions shall also be reported in the ACBL Bridge Bulletin. (See also CDR § 401.)

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## *AUDIT*

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### **Item 203-03: Ratification of Audit Firm**

Accounting firm of \_\_\_\_\_ be approved as the ACBL Auditors for the fiscal years 2020 – 2022.

Effective immediately

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## *BRIDGE*

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### **Item 203-05: Platinum Events**

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

### **Item 203-06: Unit and Club Teacher Recommendations**

The ACBL establish procedures to:

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

Effective immediately

### **Item 203-07: Teaching Clubs and Centers**

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

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

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

Effective immediately

### **Item 203-08: Alert Chart**

The Alert Chart be approved.

[Alert Chart](#)

Effective January 1, 2021

### **Item 203-10: Operating & Capital Budget**

The 2021 operating budget and 2021 capital budget be received.

Effective immediately

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## *GOVERNANCE*

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### **Item 203-15: Establish a Framework for Operating Guidelines**

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

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

Effective January 1, 2021

### **Item 203-16: Overall Operating Guidelines**

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

#### 1 Overall.

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

Effective January 1, 2021

### **Item 203-17: Operating Guidelines for NABC Site Selection**

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

#### 2 NABC Site Selection

- ACBL management shall maintain a standard Request for Proposal (RFP) for NABC site selection. The ACBL President and the Finance Chair must be alerted to any changes to the RFP.
- ACBL management must provide a realistic budget showing a profit for any proposed NABC site. As manpower permits, ACBL management shall update budget projections for approved NABC sites if substantial changes to the projections occur.
- The Board shall continue to be responsible for any decision to change the number of annual NABC tournaments.

Effective date: The earlier of 1/1/2022 or the approval of operating guidelines by the NABC Review Committee

### **Item 203-18: Operating Guidance for NABC Review**

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

#### 3 NABC Review

- The Board of Directors must approve substantial changes to NABC events and start times
- ACBL management shall work with the host District in scheduling Regional-rated games and Intermediate/Newcomer games and events.

Effective date: The earlier of 1/1/2022 or the approval of operating guidelines by the NABC Review Committee

**Item 203-19: Operating Guidance from Bridge Committee**

Codification Appendix 2D – Operating Guidelines shall include a Section 4 as follows:

4 Bridge

- Motions pertaining to bridge must be submitted by ACBL management, even if developed by an outside committee or task force. Motions generated by the Board of Governors are excluded from this requirement.
- The Board must approve creation of new award levels.
- ACBL management shall provide the Board with a biennial review of masterpoint® formulas.

Effective date: The earlier of 1/1/2022 or the approval of operating guidelines by the Bridge Committee

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*STRATEGIC*

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

The ACBL shall modify the Guest membership program by offering new players a one year membership discount available exclusively through teachers, Teaching Clubs and Teaching Centers.

Effective date: As soon as it can be implemented by management.

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

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

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

The ACBL shall feature Teaching Clubs and Centers in its advertising targeting known guest members and new prospects. Advertising of these programs should be made in a timely and accurate manner.

Effective Date: TBD

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

Award extra matching Cooperative Advertising Program funds to the top recruiting Teaching Clubs and Centers.

**Item 203-24: ACBL Logo**

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

~~2.2 The emblem of the ACBL shall be composed of two concentric circles between which shall appear the initials "ACBL" on a blue field and within the inner circle shall appear a black spade pip on a white field.~~

2.2 The ACBL shall have an emblem and it may be updated from time to time by ACBL management.

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