

Minutes

NAFA® Board of Directors Meeting, July 6, 2021

Held via Zoom Meeting due to COVID-19 Travel Restrictions

Attendees:

Board Members:
Jonathan Bescher
Steve Corona
Kathy Haney
Dana Hansen
Leerie Jenkins
Emma Mak
Lynda Mantler
Jayne McQuillen

Cindy Henderson was unable to attend

Executive Director: Neil Flood
Guest: Karen Oleson joined the meeting at 6:40 pm

Steve called the meeting to order at 6:08 pm CST

Officers' Reports

Chair's Comments:

1. Steve welcomed the board members to the meeting.

Executive Director's Comments:

1. CanAm update. We are proceeding with preparations for CanAm. The COVID situation is looking more positive. Tournaments have been ongoing in the US and Canadian tournaments are on the horizon. Steve and Neil will be flown to Indianapolis July 9 and 10 by the AKC for a meeting with AKC TV to view the venue for logistics such as lighting and set up. They will also meet with the fairground's representative. After reviewing the financial commitments required by all parties, the NAFA board will need to quickly make a decision on the viability of CanAm. The three biggest ticket items are rent, prizes and entry fees. CanAm usually opens for entries in July. Dana suggested that the board consider a reasonable increase to entry fees in order to make CanAm viable.
2. Mask policy update. NAFA's position on masks will be communicated again on Facebook and NAFA News. The board continues to follow the direction of Health Canada and the CDC. If mask policies change, competitors should be aware that NAFA rules will change. This is the current state of affairs but it bears communicating again as more jurisdictions start up.
3. EJS Status.
Neil expressed concern over the current state of the light trees and our ability to repair them due to the lack of parts available.
This will be referred to the Technology Committee to address.

4. Measuring Rulers.

Feedback on the rulers raised questions about their accuracy and rigidity. The board discussed suggestions and ideas. Adding some backing to the ruler would help make it more rigid.

5. ESPN Dog Days Update.

- a. ESPN is looking forward to having NAFA flyball at another ESPN Dog Days August 24, 2021. Cindy Henderson will be taking part in the competition.
- b. Neil will line up clubs to participate and plans to attend in an effort to educate the commentators about flyball for better coverage. This is not in conjunction with the Purina event NAFA participated in previously.

6. Flyball Open World Cup 2022

- a. Neil reports that he has had communication from Edwin Vinken regarding a May 2022 World Cup.

Four US clubs slated to go in 2020 indicate they would definitely go, or were interested in attending. The Canadian clubs slated to go in 2020 were more uncertain.

It was noted that there is little interest in holding the FCA World Flyball Championship without representation from NAFA.

Treasurer's Report: Dana reporting

The board reviewed financial reports that were distributed earlier in the day. Line items over \$500 were reviewed.

Secretary's Report: Lynda reporting

Lynda asked that the minutes from the May 25, 2021 board meeting be approved as submitted.

In effort to have the minutes approved more quickly, after the minutes have been edited from feedback of board members, Steve will send a notification that the minutes will be deemed approved by unanimous consent in 7 days.

Election Committee: Nothing to report

Standing Committee Reports

Judges Committee: Jonathan reporting

1. Dave Collett Supervising Judge Application and Recommendation.

Jon moved to promote Dave Collett to Supervising Judge, Leerie seconded. The motion passed with no objections.

2. Anthony Pirnat Supervising Judge Application and Recommendation.

Jon moved to promote Anthony Pirnat to Supervising Judge, Lynda seconded. The motion passed with no objections.

The board took a short break from 7:15pm-7:32pm

3. Lana Luhring Apprentice to Provisional Judge Recommendation.

Jon moved to promote Lana Luhring from Apprentice Judge to Provisional Judge, Leerie seconded. The motion passed with no objections.

4. Restart Judges Training Program.

Jon moved to restart the judges training using the official measuring device (currently the wicket) for training, Leerie seconded. The motion passed with no objections.

5. Supervising Judges Not Meeting Minimum Yearly Requirements.

The Judges Committee has discussed the clarity of what occurs when a Supervising Judge does not meet their Minimum Yearly Requirements. They expect to have a recommendation soon.

6. Measuring Training/Certification for Judges

Jon presented possible changes to the Judges section of the rulebook. There was discussion and concern expressed regarding the measuring requirements for Apprentice Judges. The board was agreeable to have out-of-region judges certify Approved Judges who are wicket trained. There was discussion regarding how to make this work so that it is not onerous and will ensure consistent and correct dog measurements throughout NAFA.

The board discussed at length having Supervising Judges from out-of-region review Apprentice measuring assignments. It was noted that perception is very important and rigorous training is necessary. Some board members wished to know if in regions without a Supervising Judge (or only one) can the Apprentice Judge submit two videos instead of having at least one in-person assignment with a Supervising Judge.

This topic will be discussed further by the judges committee to formulate a recommendation to the board.

The board took a short break from 8:40-8:50pm

Rules Committee: Emma reporting

1. Proposed Changes from Board ratified Special Measuring Committee Recommendations.

In writing the rules, the committee found that some changes were needed to the board-ratified Special Measuring Committee Recommendations.

Emma moved to the following changes official:

- a. Permanent Measurements to be available during Phase II instead of Phase I.
- b. Phase II to begin 6 months after regular flyball resumes.
- c. As of Phase II, the Laser will be the official Measuring Device.

- d. Some new rules will go into effect before Phase III (e.g. Permanent Measurement available during Phase II).
- e. Make the following an exception rather than including in the rulebook. Allow only one judge to measure a dog for Permanent Measurement when there are not adequate judges available.
- f. The training videos will be split up into smaller topics.

Emma moved to accept these changes to the original board ratified SMC recommendations. Jon seconded the motion. The motion passed with no objections.

Proposed Changes to Rule book for new measuring system (Glossary, Chapter 4 Measuring, Chapter 7.2 World Record Times, Chapter 2 Judges, Section 1.6 Regional Directors).

Emma moved to accept the recommendations of the rules committee for Chapter 4 measuring and glossary with the exception of 4.4.3. Jayne seconded.

Discussion:

There were a few questions answered about the document.

Dogs who have previously obtained an initial measurement from a tournament Measuring Official is problematic and the board would like the Rules Committee to review.

The motion passed with no objections.

Emma moved to approve proposed section 7.2 World Record Times. Leerie seconded. The motion passed with no objections.

- g. Chapter 2 Judges
Covered during the Judges Committee report.
- h. Section 1.6 Regional Directors

Emma moved to approve the reorganization of Section 1.6 with the exception of Regional Director authorities being clarified. Jayne seconded. There was no additional discussion. The motion passed with no objections.

Authorities of Regional Directors to be sent back to the Rules Committee.

- 2. Updated/new forms: C.13 - World Record Times, C.9 – Jump Height Measurements, New C.7 Regional Director Measuring worksheet.

- a. C.13 World Record Times

Emma moved to accept changes to form C.13 as presented. Kathy seconded the motion. There was no discussion. The motion passed with no objections.

Further revisions will be made to these forms:

- b. C.9 Jump Height Form
Update Judge to Measuring Official
- c. C.7 Regional Director Measuring Worksheet

Finance:

Nominating Committee: No report

Marketing Committee:

1. Junior Handler Pins

The board supports supplying Junior Handler Pins for the 2021 racing season. There will be a contest for the 2022 pin design.

2. Judges Tenure Recognition

The Marketing committee received a request from Steve Corona to consider offering a pin to commemorate the number of years a judge has been active. The board was in support and asked the committee to develop a design.

Disciplinary Committee:

Disciplinary Committee Report:			Effective Date
Bonnie Szoka	Suspension	Conduct prejudicial to the sport of NAFA flyball	05/01/2020
Grizzly, 160097	Suspension	Administrative excusal	05/01/2020
Preacher, 140875	Suspension	Administrative excusal	05/01/2020
Snickers, 150646	Suspension	Administrative excusal	05/01/2020
Strut, 110221	Suspension	Administrative excusal	05/01/2020
Whisper, 110704	Suspension	Administrative excusal	05/01/2020
Prank, 140408	Suspension	Administrative excusal	05/01/2020
Ripple, 120746	Suspension	Administrative excusal	05/01/2020
Daisy, 120612	Suspension	Administrative excusal	05/01/2020
Envy, 120477	Suspension	Administrative excusal	05/01/2020
Scout, 110222	Suspension	Administrative excusal	05/01/2020
Torch, 100047	Suspension	Administrative excusal	05/01/2020
Zonda, 090536	Suspension	Administrative excusal	05/01/2020
Style, 090142	Suspension	Administrative excusal	05/01/2020
Tonka, 080349	Suspension	Administrative excusal	05/01/2020
Cash, 140545	Suspension	Two aggression excusals	04/25/2015

Tommie, 100016	Suspension	Two aggression excusals	06/08/2014
Taj, 090259	Suspension	Two aggression excusals	05/04/2014
Tux, 100191	Suspension	Two aggression excusals	10/29/2013
Roxie, 051102	Suspension	Two aggression excusals	8/22/2011
Gimli, 040608	Suspension	Two aggression excusals	11/17/2008
Marion Brinkman	Suspension	Conduct prejudicial to the sport of NAFA flyball	Indefinitely
Mike Mattos	Suspension	Conduct prejudicial to the sport of NAFA flyball	Indefinitely
Janet Nelson Morris	Suspension	Conduct prejudicial to the sport of NAFA flyball	1998
Dave Mueller	Suspension	Conduct prejudicial to the sport of NAFA flyball	1998
Cheryl Mueller	Suspension	Conduct prejudicial to the sport of NAFA flyball	1998
Jennifer Nelson	Suspension	Conduct prejudicial to the sport of NAFA flyball	1998

Review Panel:

1. No excusals submitted for review.

Special Committee Reports

Technology Committee: No report

Communications Committee: No Report

CanAm Steering Committee: No Report

Covered during Executive Director comments.

Ad hoc Committee regarding procedures for Unsportsmanlike Charges:

1. Recommendation to Board of Directors

Lynda presented the Unsportsmanlike Charge proposal which was most recently discussed at the January 2021 board meeting. The goals of the proposal include the following:

1. Informal Resolution
2. Speed up the timeline
3. Transparency

4. Eliminate the need for an in-person hearing
5. Ability to appeal the decision

The board reviewed the proposal and made some changes to the wording.

The document is included below.

Lynda moved to accept the proposed wording presented by the ad hoc committee with the modifications made by the board. Dana seconded.

Discussion: Emma asked that the content be sent to the rules committee so that it may be formatted to match that in the rulebook.

The motion passed with no objections.

Special Measuring Committee:

1. Measuring Training Videos

Steve read an email received from Cindy Henderson documenting the progress and status of the training videos.

The board would like to add the setup and proper calibration of the Laser Measuring device on the ground as well as on a table added to the video.

Steve to follow up with Cindy.

2. Certification of Judges

Current progress was reviewed during the Judge's Committee report.

Old Business:

New Business:

The next board meeting will be scheduled in September, or earlier.

The meeting was adjourned at 11:48pm.

CHAPTER 5 – CODE OF CONDUCT

Section 5.3 - Pre-hearing

(a) Preliminary Investigation: The NAFA® Board of Directors' Disciplinary Committee or their appointee(s) shall investigate all complaints and make a preliminary determination.

The Disciplinary Committee shall determine whether, if proven true, the action was prejudicial to the sport and whether it occurred at or in connection with the NAFA® sanctioned event. This preliminary determination shall be made within 30 days of receiving the complaint.

The Disciplinary Committee shall give a copy of the complainant's statement to the accused and request a reply from the accused within 14 days.

At the discretion of the ED and The Disciplinary Committee, an informal resolution may be instituted.

Informal Resolution

(a) If the ED and The Disciplinary Committee wish to attempt resolution of the complaint on an informal basis, the Disciplinary Committee will attempt informal resolution of the complaint. This may include the following:

- (i) The complainant talks to the accused about the behavior;
- (ii) A member or members of the Disciplinary Committee, talks to the accused about the behavior
- (iii) A member or members of the Disciplinary Committee acts as an informal mediator between the complainant and the accused.
- (iv) If the complaint is resolved informally to the satisfaction of the Disciplinary Committee, the complainant, and the accused; or if the complainant decides to withdraw the complaint, the Disciplinary Committee will make careful notes of the actions taken, no report shall be published, and the fee shall be refunded.

Hearing

If informal resolution is not instituted or not successful, the complaint will be brought before the Board of Directors by the Disciplinary Committee for review.

(a) Hearing Notice: If following the preliminary investigation, it is determined that the alleged misconduct, if proven true, would be prejudicial to the sport and that it occurred at or in connection with a NAFA® sanctioned event, then the accused must be advised of:

- (i) the charges and specific conduct alleged to be prejudicial to flyball;
- (ii) where and when the hearing will be held; This should be the soonest of when the complainant, accused and the Disciplinary Committee are all available to meet. At the discretion of the committee, the hearing may be held electronically, by email or video conference. The complainant and/or accused may choose not to attend. Their attendance will have no bearing on the decision of the committee.
- (iii) when and where the alleged misconduct occurred.
- (iv) their rights to be present, to testify and to present witnesses and;
- (v) if the accused prefers, they may present their defense in writing.
- (vi) the accused shall be advised to review Chapter 5 – Code of Conduct

(c) The accused will be given thirty days to secure witnesses and prepare a defense.

Section 5.4 - Hearing

(a) For the purposes of this hearing the NAFA® Board of Directors shall be known as "the committee". The Chairperson of the NAFA® Board of Directors shall be the Chairperson of the hearing.

(b) The Chairperson introduces themselves and the members of the committee and designates one member to keep a record of the proceedings.

(c) The Chairperson advises the accused of the specific charges.

- (d) The Chairperson advises the accused and the complainant of the right to
 - (i) hear, confront, and question all witnesses present. If witnesses are not present, written statements obtained will be relied on.
 - (ii) to present witnesses on their behalf and;
 - (iii) to testify on their behalf.
- (e) The Chairperson shall determine and list witnesses to be called by the committee and the accused.
- (f) The Chairperson excuses all persons except the committee, the accused, *the complainant* and the witnesses.
- (g) The Chairperson shall call each witness independently, first those named by the committee and then those named by the accused. The Chairperson shall ascertain the full name and address *and* preferred contact information of each witness as they are called. The Chairperson shall question the witness and then allow the accused and complainant to question the witness.
- (h) After all witnesses have testified, the Chairperson shall permit the accused to make a final statement in response to the charges.
- (i) The Chairperson shall then excuse all persons except the committee. The Chairperson shall ask the accused to remain available to receive the committee's decision.

Section 5.5 - Post-Hearing

- (a) After deliberation and by majority vote, the committee shall determine;
 - (i) whether the charged conduct has been proven;
 - (ii) whether such conduct was prejudicial to the best interest of the sport of flyball; and
 - (iii) whether the charged conduct occurred in connection with or during the progress of a NAFA sanctioned event
- (b) If any of Sections 5.5 (a), (i), (ii), or (iii) are not proven, the committee shall dismiss the charges. If Section 5.5 (a), (i), (ii), and (iii) are proven to be true, the committee may suspend the accused from all NAFA® membership or take other appropriate disciplinary action, and refund the filing fee.
- (c) After the committee makes its decision, the Chairperson shall;
 - (i) if possible, immediately notify the accused and the complainant of the committee's decision and any discipline taken;
 - (ii) notify the accused, in writing, by registered or certified mail, of the committee's decision and any discipline taken, and;
 - (iii) prepare a complete report of the proceedings for the records and send a duplicate copy of the report to the accused and the complainant.

5.6 Appeals

- (a) A complainant or accused who wishes to appeal the decision of the Disciplinary Committee may initiate an appeal not more than 30 days after the date she or he receives notice of the committee's decision.
- (b) An appeal will only be considered if there is significant new information that was not available at the time of the hearing.
- (c) Upon receipt of the notice of appeal, an Appeal Panel will be formed consisting of the Executive Director, and the Executive Committee will convene. The Appeal Panel will set a date for a closed hearing to be held within 30 days and will notify the complainant and the accused. The Appeal panel will review all documents submitted along with any new, significant information not available at the time of the original hearing.
- (d) the Appeal Panel may, by a majority vote of its members:

(i) dismiss the appeal

(ii) substitute its own decision for that of the committee

(e) the appeal panel's decision is final

(f) Within 14 days after completing a hearing, the Appeal Panel shall send notice of its decision and the reasons for such decision in writing to the complainant and accused.

(g) the Disciplinary Committee shall implement the Appeal Panel's decision with respect to the appeal and may accept and implement any or all of the Appeal Panel's additional recommendations.

Confidentiality

Any and all information, oral and written, created, gathered, received or compiled through the course of processing a complaint is to be treated as confidential by both the accused and the complainant, their representative, witnesses and all persons dealing with the complaint pursuant to this policy. Breaching confidentiality may result in disciplinary action of the individual in breach.

A breach of confidentiality by current board members may result in removal from the board.

This requirement also remains in effect for all board members even when they cease to be a member of the board of directors.