



MINUTES
USA BOXING BOARD OF DIRECTORS
CONFERENCE CALL
October 9, 2010
11:00am MST

I. Roll Call/Call to Order (11:14am MST)

Board Members Present: Board President Adonis, Jeaneene Hildebrandt, Gary Pliner, Jim Beasley, Spence Carpenter, Gary Richards, Dr. Charles Butler, Kymmerli Stowe, Mikaela Mayer (left meeting at 1:12pm MST for competition)

Board Members Absent: Angel Bovee

Staff Present: Mike Martino (Interim Executive Director), Rose Tenorio (Executive Assistant), Cathy Newell (Executive Staff Support)

Guests: Steve Smith (Attorney representing USA Boxing) left call at 11:17am MST

II. Quorum Established

III. President's Report: Adonis presented the issues and agenda items that need to be addressed in today's call.

IV. Executive Director's Report: Martino presented current state at National Office.

A. Deni Auclair (Foundation Trustee) will be in the National Office this week to assist in review and structure of USAB budget items.

1. Auclair will give full report and findings to the Board of Directors upon completion.

B. Olympic Trials process will consist of 8 athletes in each weight division, four of which to move forward to Olympic Qualifier. East Coast & West Coast National tournaments in consideration, and Anthony Bartkowski/Martino currently looking at funding opportunities.

1. USOC expressed concern about how to fund these Coast tournaments, changes in qualification rules, and still no Olympic Trials dates given to the USOC.

2. Considering fee or next National Tournament in Colorado Springs.
3. Joe Zanders may have two sponsors interested in donating towards these two tournaments (California and Florida sponsors).
 - a. ACTION: Martino to have call with Pliner and Joe Zanders to discuss possible sponsorship opportunities.
 - b. ACTION: Martino to send Olympic Trials process information to entire Board.

V. **Old Business**

A. *National Review Board Grievance Procedures*

1. **MOTION/SECONDED/CARRIED (STOWE/MAYER)**: Accept and approve the new grievance revisions that were presented by Dick Trindle, Chair National Review Board sent to the Board for review. Unanimously passed.
 - a. **214.3 . Statute of Limitations** - A complaint shall be filed within NINETY (90) days of the date of discovery of the alleged violation, grievance, denial or threat to deny, or within NINETY (90) days of such complainant having known or reasonably should have known, of such violation.
 - b. **214.4. Manner of Filing** - All grievances must be filed with the President of the LBC where the alleged violation(s) occurred except those that contain right to participate or Ted Stevens Act issues, and those filed by group members. The complaint shall set forth in clear and concise language in NUMBERED paragraphs: (1) the alleged violation, grievance, denial or threat to deny, including the date(s) of the alleged violation, (2) the specific code section or rule alleged to be violated, and (3) the remedy requested. The complainant shall sign the complaint, mail it to the LBC President via U.S. Mail, and send a copy

of the complaint to the respondent, via U.S. Mail, regular delivery, with a certificate of mailing and to USA Boxing. Grievances involving right to participate or Ted Stevens Act issues, those filed by Group Members and any others directed by the USA Boxing Board of Directors, must be filed with the Judicial Committee, USA BOXING, 1 OLYMPIC PLAZA, COLORADO SPRINGS, CO 80909. The USA Boxing Judicial Committee reserves the right to adopt any grievance filed with the LBC at any stage of the process.

- c. **214.5. Filing Fee** - All complaints filed by individuals, an LBC, club, or group member shall be accompanied with a \$100.00 filing fee, except that USA Boxing is not required to pay a filing fee. The filing fee will be returned if the grievance is upheld by the hearing board. The hearing body shall not consider a complaint for purposes of the Statute of Limitations unless the complaint is accompanied by the filing fee.
- d. **214.7. Administration** - The Judicial Committee shall generally administer and oversee all grievances filed with the LBC and USA Boxing. The hearing bodies shall be responsible to ensure that all complaints are heard in a timely, fair and impartial manner. The Judicial Committee may promulgate procedures in addition to those set forth in these Bylaws for the effective administration of complaints filed.
- e. **214.8. Hearing Panel** - After the filing of a complaint, the chair of the Judicial Committee, after consultation with the other Committee members, shall appoint a hearing panel consisting of three (3) individuals to hear the complaint. The Judicial Committee shall also

appoint a chair of the hearing committee. Judicial Committee members may be appointed to and serve on the hearing panel. Other disinterested individuals identified by the Judicial Committee may also be appointed to and serve on the hearing panel. At least one (1) member of the hearing panel shall be an athlete, and the Judicial Committee may appoint multiple athletes to its committee to ensure the availability of one per hearing. Members of the panel must be members of USA Boxing. All hearings shall be recorded. For hearings conducted by the LBC, the LBC Board of Directors shall be considered as the Judicial Committee and the President of the LBC shall be the chair of the Committee.

- f. **214.9. Conduct of Proceeding** - The Hearing Panel shall rule on all motions and other matters raised in the proceeding. If the grievance is not dismissed, the hearing panel shall hold a hearing on the complaint. The USA Boxing Judicial Committee shall set such timelines and other rules regarding the proceeding and the conduct of the hearing as it deems necessary. The hearing shall be informal, except that testimony shall be taken under oath. The hearing may be conducted by teleconference, if necessary or convenient to the parties. Each party shall have the right to appear personally or through a legal representative. All parties shall be given a reasonable opportunity to present and examine evidence and to present argument. Members of the hearing panel shall have the right to question witnesses of the parties to the proceeding at any time. The hearing panel must record the proceeding and a court reporter may be present at the hearing at the

request of a party. The court reporter shall be paid for by the party requesting the court reporter. Any transcript shall be paid by the party requesting the transcript.

- g. **214.11. Decision** - A decision shall be determined by a majority of the hearing panel. The hearing panel's decision shall be verbally conveyed to the parties within 24 hours and in writing within 30 days. If the hearing is at the LBC level the panel shall, within 30 days after the hearing, notify the USA Boxing Judicial Committee in writing of its decision.
- h. **214.12. Appeals** - Within thirty (30) days of the written decision of the LBC hearing panel, any party may appeal the decision to the USA Boxing Judicial Committee. The appeal must be in writing and shall state with specificity: (a) the reasons for the appeal, including citations to specific portions of the decision or to the record of the proceedings and (b) the relief sought. The appeal shall be accompanied by any record of the proceedings held, including any documents to be considered or reviewed by the USA Boxing Judicial Committee. The written appeal must be accompanied by a \$200.00 filing fee made payable to United States Amateur Boxing, Inc. Upon receipt of the written appeal, the USA Boxing Judicial Committee shall cause copies of the written appeal to be mailed or delivered to the opposing parties and any other person(s) against whom the written appeal seeks specific relief. Those parties will then have thirty (30) days from the date the appeal was mailed to them to mail or deliver to the USA Boxing Judicial Committee a written response to the written appeal. The USA

Boxing Judicial Committee will then conduct a review of the parties' submissions, the hearing panel's decision and any record of its proceedings and within a reasonable time period issue a written decision affirming, modifying, remanding, or reversing the decision of the hearing panel. Any appeal from a decision of the USA Boxing Judicial Committee must be submitted for binding arbitration.

- i. **214.13. Frivolous Grievance** - A frivolous grievance is a grievance motivated by an intent merely to harass, delay embarrass or achieve an unjustified advantage which has no arguable basis in law, by-law, regulation or fact. Monetary damages up to an amount equal to the filing fee may be assessed by the USA Boxing Judicial Committee
- j. **214.15. Jurisdiction & Cooperation** - Any member of USA Boxing, by reason of their membership, agrees to be subject to these grievance procedures and agrees to be bound by any decision rendered pursuant to these complaint procedures. Further, all members have a duty to fully cooperate with the hearing panels, including the prompt response to requests and inquiries, and agreement to appear at hearings, either in person or via phone.

B. *Affiliated Group Member Board Representation Resolution*

- 1. Jim Beasley reinstated as Affiliated Group Member Board Representative per USOC direction.

C. *Credentials Committee for review of Independent Directors*

- 1. **MOTION/SECONDED/CARRIED (STOWE/MAYER):** Jeaneene Hildebrandt to review Credentials Committee recommendations of two Independent Board Directors, and report back to Board. Committee members will be Ken Buffington (replacing Louis Jordan as LBC Representative), 1

Athlete from AAC, Bill Deeter (Foundation), Mike Dillhyon (Affiliate Member).

Unanimously passed.

D. Ethics Committee

1. **MOTION/SECONDED/CARRIED (ADONIS/STOWE)**: President Adonis recommends the following individuals to serve on Ethics Committee, Board to receive resumes of each and can amend motion if any individual is in question after the review of resumes: Don Rivera, Jim Quigley, David Zawacki,

a. **ACTION**: President Adonis to submit resumes of recommended Ethics Committee nominees to the Board for review.

E. Code of Ethics: BOD to sign and return the code of ethics for USA Boxing to have on file.

VI. New Business

A. Treasurer: Until a full board is in place (still need to independent directors) cannot elect a treasurer.

B. Certificate of Liability: Richards did investigatory work on current Certificate of Liability insurance, and gave the following recommended motion:

1. **MOTION/SECONDED/CARRIED (RICHARDS/MAYER)**: Additional \$25 fee for certificates of liability to be rescinded for both training clubs and sanctioned events beginning in 2011. For the remainder of this year eliminate the \$25.00 fee for the certificates that have expired prior to October 1, 2010 to take them through the end of the year.

2. Sanction fees for multiple days_

a. Motion tabled to eliminate the \$50.00 additional sanction day fee until further discussion with Deni Auclair, per Martino recommendation.

3. **RECOMMENDATION**: Martino recommends due diligence on the budget before any further cuts/changes in budget items. Recommends discussion with Deni Auclair when she comes to the National Office to assist with the budget.

VII. MOTION/SECONDED/CARRIED (STOWE/BUTLER): The Board accepts the resignation of Martino as Interim Executive Director. Beasley and Carpenter vote NO. Hildebrandt ABSTAINS. Motion passed on majority vote.

A. Martino removed himself from the position of Interim Executive Director (will have official resignation to President Adonis on October 12, 2010) after being questioned by board members about fulfilling responsibilities on fund raising. President Adonis volunteers to step in temporarily to assist in running the National Office and will ask Anthony Bartkowski to step in as Interim Executive Director.

VIII. MOTION/SECONDED/CARRIED (RICHARDS/CARPENTER): Gary Pliner and Jeaneene Hildebrandt to serve on Board By-Laws Review Committee to investigate and review current By-Laws and report back to the Board on findings/recommendations for amendments. Unanimously passed.

1. AIBA Executive Director Ho Kim directed President Adonis to review and amend USA Boxing By-Law Article IX, Part III regarding “Eligibility and Disqualification” to be aligned with those of AIBA.

2. **MOTION/SECONDED/CARRIED (BUTLER/STOWE):** Ho Kim (AIBA Executive Director) addressed the Board via teleconference to briefly reiterate the content of his letter, (attached). Upon discussion with Ho Kim, the Board votes that the By-Laws will be amended as ordered by AIBA to align with their eligibility and disqualification guidelines. Carpenter and Beasley abstain. Motion passed on majority vote.

B. *Puerto Rico Invitation Letter:* Mike comments on notifying the staff and that everyone is excited about the opportunity for the athletes. 165 lb female athlete requested to compete in tournament in Puerto Rico. The Puerto Rican Federation will pay expenses for the athlete that will attend.

IX. Adjourned 1:44pm MST

Respectfully submitted,

Rose Tenorio
Executive Assistant