

# Agenda

## Annual Meeting

### USA Fencing Board of Directors

October 30, 2022 Colorado Springs, Colorado  
Public Dial In: 1-719-359-4580. Passcode: 687837  
Public Link:

<https://us02web.zoom.us/j/87892616644>

#### **I. Call to Order**

General Announcements

Remarks & Report of the Chair – David Arias, Chair

Conflict of Interest announcement.

#### **II. Consent Agenda Items (Mr. Arias)**

1. To approve the minutes from the July 28, 2022 meeting (Appendix K)
2. To approve the email vote minutes from October 6, 2022 (Appendix L)
3. To approve the report of the Division Resource Team (Appendix N)

#### **III. Operations, Financial Update and CEO Remarks.**

#### **IV. Committee, Resource Teams & AAC Updates (as applicable).**

#### **VIII. New Business**

To approve 2022-2023 Committee and Resource Groups.

**Motion (Mr. Arias):** To approve the Committees and Resource Groups for the 2022-23 season as provided to the Board, details of which are provided in Appendix A.

Rationale: The committee working group has reviewed all applications and provided the Chair of the Board with recommended appointments for the 2022-23 membership year.

To approve Mrs. Christina Pachuta as Secretary to the USA Fencing Board of Directors

**Motion (Mr. Arias):** That the Board of Directors of USA Fencing appoint as Board Secretary Mrs. Christina Pachuta, and remove Ms. Catherine Bouwkamp PLY as Board Secretary.

Rationale: Mrs. Patchuta's training as a legal professional, together with her role at USA Fencing's HQ makes her the appropriate resource for the Board, and fits within her existing role overseeing our Compliance area.

To approve new disciplinary processes as proposed by Mr. Stephen Hess, Outside General Counsel.

**Motion (Mr. Arias):** That USA Fencing adopt as stated the disciplinary process provided in a separate document (to be attached to the minutes as an appendix B), and instruct the staff to proceed to provide updated policies and procedures as appropriate to the board which fit with this new process.

Rationale: The disciplinary process streamlines our approach to discipline off of the field of play and brings our disciplinary processes into anticipated compliance with USOPC and US Center for SafeSport requirements.

To approve a pool of disciplinary panel members for non-athlete representative positions.

**Motion (Mr. Arias):** That the following individuals be appointed as a pool of membership for the disciplinary panel process, subject to the approval of the above motion.

Jonathan Hirsch  
Samuel Cheris  
Selina Kaing  
Vickie Miller  
David Eldridge  
Paul Levy  
Jack Weiner  
Mario Trimble  
Mark House  
Jessica Saxon  
Arielle Andrews  
Lauri Lewis  
Rachel Crass Wood  
Anna Sasaki  
Regis Becker  
Aimee Rice

Michelle Ku  
Lloyd Hancock  
Amy Bianchini  
Samuel Lillard  
Lewis Siegal

+ All members of the existing USA Fencing Legal Resource Group:  
Donald Alperstein, Vic Bianchini, Thomas Hanahan, Sada Jacobsen, Julio Mazzoli, Emil Pehlivanov, Roger Pierro, Raymond Snytsheuvell, Rick Torres and Paul Lewis.

Rationale: In order to provide for efficient panels, a pre-approved group to call from who are dis-interested in any particular issue. Athlete representatives are essentially pre approved since there are only a number who are recognized under the “10 year” rule, Ms. Holmes and Ms. Deluca will remain in position to recommend participation from this pool on behalf of the USA Fencing AAC.

Bios for these individuals are attached as Appendix C

Change of Bank Authority.

**Motion (Mr. Arias):** That Mr. Jack Gierhart be removed from the USA Fencing bank accounts, and Mr. Phil Andrews be added to the USA Fencing bank accounts, reflecting the change in the CEO role.

Rationale: As we have now appointed a permanent CEO for USA Fencing, and Mr. Gierhart has moved on, we need to change the authority on our banking functions to the appropriate approver.

Approval of 2022 Financial Policy and Procedures.

**Motion (Mr. Arias):** That the 2021 Financial Policy and Procedures now updated to the 2022 Financial Policy and Procedures be approved as our USA Fencing policy.

Rationale: The previous approved policy dates from 2018, but in practice we have been using a policy produced in early 2021. There is no material change from the practical policy, but an accounts receivable policy has been added.

The revised Policy & Procedure is attached as Appendix D, with the specific addition as Appendix M

Approval of Vice Presidents.

**Motion: (Mr. Arias)** To appoint Selina Kaing as Vice President and Advisor to the USA Fencing Board of Directors for the current Season.

Rationale: Ms. Kaing, a graduate of USA Fencing’s Leadership Academy, brings to the Board experience, connections and abilities not present among the voting members of the Board. These include, but are not limited to, her extensive and technology experience in

private industry. Ms. Kaing has also been of considerable assistance to the Chair in the discharge of certain of his duties, including, for example, her leadership role in this year's Committee and Resource Group Task Force work. Ms. Kaing's resume is attached to this Agenda as Appendix E.

**Motion: (Mr. Arias)** To appoint Ivan Lee as Vice President and Advisor to the USA Fencing Board of Directors for the current Season.

Rationale: Mr. Lee, a graduate of USA Fencing's Leadership Academy, is a retired police officer and currently serves as head coach of Long Island University's NCAA fencing team. In the latter role, he has developed and grown a moribund program into one with vibrant women's and men's teams. Mr. Lee has also served on the board of an educational institution. His experience in those roles provides perspectives not otherwise present among members of the Board of Directors but which are important to the Board's work. Mr. Lee's resume is provided with this Agenda as Appendix F.

Re-Appointment of the USA Fencing Treasurer.

**Motion (Mr. Arias):** That the Board of Directors reappoint Mr. Samuel Cheris as USA Fencing Treasurer pursuant to Bylaws Section 6.2.a.

Rationale: Mr. Cheris has served USA Fencing as its Treasurer for the past year and successfully guided the financial operations of the organization through a period of staff changes. Additional staff changes are forthcoming as open accounting positions have yet to be filled. Mr. Cheris is intimately familiar with USA Fencing finances and has successfully discharged the duties of the office as set forth in Bylaws Section 6.1.c.

Mr. Cheris' resume is attached a Appendix G.

Task Force regarding Multi-Sport Membership

**Motion (Mr. Alperstein):** That the Board of Directors of USA Fencing appoint a task force comprised of members and staff to consider the advisability and practicality of partnering with two other NGBs to offer a single payment multi-sport membership for young athletes, and to report its finding and recommendations to the Board no later than the Board's Winter Meeting in February 2023.

Rationale: USA Fencing has formally embraced the "American Development Model." The ADM includes among its "Core Values" and "Goals" participation in multiple sports and advises multi-sport activities for young athletes in the early stages of athletic development, particularly for ages 6-12. Engaging with two other NGBs will allow young athletes the opportunity to participate in several sports and athletic activities, including fencing, in furtherance of the ADM approach. But of equal or greater importance, a multi-sport membership will expose young athletes who would not otherwise try fencing to our great sport. Other sports with whom we might partner, by way of example, could include archery and taekwondo. While we may lose some members to other sports, those individuals would probably not in any event dedicate themselves to fencing for the years needed to achieve high performance and would probably not, in the words of our Vision Statement, engage in "a lifetime enriched by fencing." As a result, a multi-sport

membership stands not only to increase our membership in the long run, but also to open a new stream of competitively successful fencers.

Bylaw Amendment Vice Chair to Vice President.

**Motion (Mr. Arias):** That the following prospective amendments to the USA Fencing Amended and Restated Bylaws be approved for publication pursuant to Bylaw Section 14.2.a, and that these amendments be considered for adoption at the next meeting of the Board following the required comment period:

That all references in the Amended and Restated Bylaws of The United States Fencing Association, effective as of January 5, 2002, be further amended to change to “Vice-Chair,” “Vice Chair,” and “Vice Presidents” to read “Board Advisor,” except for such references in Section 12.11, which shall remain unchanged.

**Rationale:** The terms “Vice-Chair” and “Vice Chair” appear numerous times in the Bylaws but do not reflect the role of the positions to which they refer. For example, the Vice-Chairs do not stand in the line of succession to the duties of the Chair of the Board. Instead, as described in Section 6.1.d, these positions exist to “advise the Board of Directors, assist the Chair of the Board in the discharge of the duties of that office, and perform such other duties as may be assigned by the Board of Directors.” The term “Board Advisor” more accurately describes those functions. “Vice Presidents” appears once in the Bylaws (in Section 9.3), apparently as an artifact of earlier terminology that was apparently overlooked when use of that term was abandoned in previous amendments. Section 12.11 is excluded from the proposed amendment because it refers to Vice-Chairs of the Referees’ Commission and the designation remains accurate and appropriate in that context.

Approvals of United States Fencing Foundation Trustees

**Motion (Mr. Arias):** That the following individuals be approved as re-appointed as trustees of the United States Fencing Foundation.

Selina Kaing  
Lianne Merchant

**Rationale:** Per Article 4 of the United States Fencing Foundation Articles of Incorporation, the Board of Directors shall have final approval of all elected trustees.

**Motion (Mr. Arias):** That Laura Johnson be approved as a newly appointed trustee of the United States Fencing Foundation.

**Rationale:** Per Article 4 of the United States Fencing Foundation Articles of Incorporation, the Board of Directors shall have final approval of all elected trustees.

**Motion (Mr. Arias):** That Jake Hoyle be approved as a newly appointed athlete representative on the United States Fencing Foundation Board of Trustees.

Rationale: Per Article 4 of the United States Fencing Foundation Articles of Incorporation the Board of Directors shall have final approval of all elected trustees.

Trustee bios are attached as Appendix H.

#### Transgender and Non-Binary Athlete Policy

**Motion (Mr. Arias):** That USA Fencing adopt as stated the USA Fencing Transgender and Non-Binary Athlete Policy provided in a separate document (to be attached as Appendix I)

Rationale: As USA Fencing continues to expand access to the sport of fencing, we recognize the importance of creating inclusive and safe spaces that promote equality and fairness for all. As it currently stands, the existing transgender policy places considerable limitations that have the potential to exclude transgender and non-binary athletes from competing in our sport. Additionally, enforcing a nominal requirement for transgender women (MTF) has the potential to exclude persons not intended to be impacted by this policy (i.e., intersex individuals and others born with genetic gender deficiencies). The proposed policy, which was developed in collaboration with other USA Fencing Staff, members of the DEIB committee, legal counsel and medical working groups, leans on the most available scientific data pertaining transgender athlete performance broadly. In accordance with our mission to foster a fencing community of diversity, equity, inclusion, and belonging, the proposed policy centers fairness in the sport while also promoting inclusion of transgender and non-binary athletes.

#### Youth Fencing Task Force – Y10 and Y12

**Motion (Mr. Alperstein):** That the Board of Directors of USA Fencing appoint a Youth Fencing Task Force to consider the advisability and propriety of conducting Y10 and Y12 events at national tournaments, with the report of its findings and recommendations to be delivered no later than the Board's Winter Meeting in February 2023. The Task Force will comprise the chairs of the Tournament Committee, Sports Medicine Resource Group, and Youth Development Resource Group, (or their designees) the CEO and Membership Director of USA Fencing (or their designees), a coach with a background in youth development, and such other experts inside and outside of USA Fencing who can inform the Task Force's work, as recommended by staff.

Rationale: There are many reasons to consider whether USA Fencing should continue to offer national level competition at NACs in the Y10 and Y12 age groups, and good considerations on both sides of the question.

Among the points suggesting that such competitions are not beneficial are the following:

- USA Fencing has formally embraced the “American Development Model.” The ADM model provides that activities for beginning athletes (generally under age 12) should “Emphasize practice over competition; if competing, not beyond local or regional levels.” During Stage 2 of the ADM approach (normally for athletes aged 10-16), emphasis should be on “furthering skill development through challenges,

such as recreational competition, organized sport programs or club participation,” and that this should occur through “Recreational competition at local and regional levels.” Stressful travel and competition at national tournaments seem antithetical to these principles.

- With the reduction in the number of NACs being conducted by USA Fencing, we have seen the loss of national level competitive opportunities for a large segment of USA Fencing’s membership, notably those who fence developmentally or recreationally in Divisions 2 and 3. Discontinuing or reducing the number of Y10 and Y12 events at the NACS would allow us to again provide services to these constituencies.
- The increased number and higher quality of SYCs, RYCs, and other regional and local opportunities for young fencers provide ample competitive experience, are more consistent with the ADM, and save family resources while providing clubs and divisional organizers with income to support their businesses and objectives.
- Referees and other observers have noted anecdotally that parent and coach misbehavior seems particularly acute and more troubling in younger age events, disrupting the tournaments and diminishing the enjoyment of athletes affected by poor adult conduct.

Among the points suggesting that such competitions are beneficial are the following:

- USA Fencing’s international success began after the adoption of youth fencing and our results progressed through Cadet, Junior, and Senior ranks as the youth fencers aged. Eliminating or reducing the number of national level youth events jeopardizes future international results.
- The viability and success of some clubs and financial support for some coaches may depend on having Y10 and Y12 events at the national level.
- Children are safer in national venues where FenceSafe and MAAPP are in the forefront.

These considerations for and against are by no means the only ones bearing on the issue, but are offered as examples of the reasons why USA Fencing should reassess its approach to Y10 and Y12 competition.

#### Paralympic Amendment to USA Fencing Strategic Plan

**Motion (Ms. DeLuca):** To amend the USA Fencing Strategic Plan by the addition of a new Objective 7 “Position USA Fencing’s Paralympic Program for Optimal Success in the 2024-28 Quad” in the form of the attached Appendix J.

Rationale: Investment into the Parafencing program is needed to grow it into a force that can position USA Fencing to dominate at the 2028 Los Angeles Paralympics. Proposed Objective 7 sets benchmarks designed to position the Parafencing cadre consisting of athletes, referees, and medical classifiers for success at the 2028 Los Angeles Paralympics. The proposed objective lays out benchmarks such as:

- Developing 10 National Level Parafencing referees
- Having a minimum of 3 IWAS, international certified referees
- A minimum of 1 IWAS certified classifier
- Host a Parafencing World Cup at least every other year.

These benchmarks will be met by systematically supporting athletes, focused program fundraising, engaging and educating coaches, recruiting quality referees, and implementing incentives for clubs, athletes, coaches, and athletes.

Rules regarding Agenda Timelines.

**Motion: (Mr. Salem)** to request submission of an agenda and other available information about subjects that will be discussed in board meetings at least two weeks before the day of the meeting.

Rationale: To give board members time to review items in order to facilitate discussion.

**IX. Other New Business**

**X. Good and Welfare**

**XI. Recess to Executive Session**

**XII. Executive Session**

**XII. Recess**



# Task Force on Committees and Resource Groups

## Report to the USA Fencing Board of Directors

Submitted by Selina Kaing, Vice-Chair of the Board & Task Force Chair  
October 17, 2022

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### 1. Background

On July 28, 2022, the USA Fencing Board of Directors voted to approve the composition of the Task Force on Committees and Resource Groups and appoint the following members of the Board of Directors to the Task Force, with the first person named below to serve as chair:

- Selina Kaing (Chair)
- Donald Alperstein
- Nzingha Prescod
- Kat Holmes
- Peter Burchard

The Task Force with assistance from Sarah Ross, Suzie Riewald, Bryan Wendell, and Amanda Mastera from the National Office reviewed, updated, and revised the application form and communications plan. The application window for all applicable committees and resource groups was open from August 8 - 22, 2022 to the general membership and appropriately communicated on USA Fencing's website and standard social media platforms.

Link to the call for applications:

- <https://www.usafencing.org/page/show/7388675-apply-to-join-a-usa-fencing-committee-or-resource-group>

### 2. Review Process

The Chair assigned each member of the Task Force to the review panels for approximately 8 - 10 committees and resource groups and ensured that each one had at least two Task Force members for the initial round of reviews. Each individual was responsible for reading, evaluating, and providing a preliminary recommendation of the applicant's qualifications for serving in the areas of indicated interest.

- **Review Panel Assignments:** Care was taken to balance the review panel assignments of each Task Force member to ensure workload parity, knowledge where appropriate if acting as current Board liaisons, specific expertise, and to avoid any conflicts of interest in the selection process.
- **Task Force Advisory:** The Task Force also solicited additional advisors and National Office staff with specific areas of expertise to provide input as needed regarding Leadership Academy performance, DEIB considerations, specialized areas of knowledge such as para-fencing, high performance, SafeSport, sports medicine, operations, marketing, finance, etc. Special thanks to Sam Cheris, Lauryn DeLuca, Lee Shelley, Kate Reisinger, Glen Hollingsworth, Shannon Jolly, Cat Bouwkamp, Suzie Riewald, Sarah Ross, Peggy Chin, and Bryan Wendell.

- **Independent Review:** Each Task Force member was responsible for independent review of each applicant before the Chair convened the full Task Force for discussion and alignment.
- **Alignment & Discussion Sessions:** The Task Force officially met on Aug 31st and Sept 15th for 3+ hours in each session to discuss all applicants across 20 committees and resource groups. Any necessary follow up consultations were held at the Chair's discretion with appropriate Task Force members and advisors previously referenced.

### 3. Applicant Summary

USA Fencing received 82 applications (26% increase from the prior year). The Task Force recognizes the importance of DEIB and the value of diverse representation across our committee and resource groups. With guidance from Shannon Jolly, USA Fencing's Senior Manager for Diversity, Equity, Inclusion and Belonging, the Task Force piloted the collection of demographic data this year to help inform our selection process and provide data on how to improve in future application cycles.

- **Gender Identity:** While the majority of applicants were male (51%), there was still a fairly significant number of female applicants (44%)
- **Age Group:** 77%+ of applicants fell into the veteran age categories (45 and older). There was one applicant under 18, but the Task Force confirmed that per current USA Fencing bylaws, committee and resource group members must be 18+ to serve. Future application cycles should ensure that this age requirement is clear.
- **Able-bodied:** There is an opportunity to reach more individuals in the para-fencing community as USA Fencing continues to grow the program nationally.
- **Ethnicity:** 67% of applicants identified White/Caucasian. USA Fencing must develop strategies to identify and encourage more diverse applicants.
- **Top 3 Committee Choices:** The Veterans Committee was the top choice among applicants (aligned with the demographic info collected) followed closely by the Tournament Committee and Division Resource Group.

<b><i>Gender Identity</i></b>	<b><i>% of Applicants</i></b>
Female	44%
Male	51%
Prefer not to Answer	5%

<b><i>Able bodied</i></b>	<b><i>% of Applicants</i></b>
Yes	94%
No	4%
Prefer Not to Answer	2%

<b><i>Age</i></b>	<b><i>% of Applicants</i></b>
18-24	4%
25-34	7%
35-44	10%
45-54	35%
55-64	18%
65 or older	24%
Under 18	1%

<b><i>Ethnicity</i></b>	<b><i>% of Applicants</i></b>
American Indian/Alaskan Native	1%
Asian/Asian American	7%
Black/African American	10%
Latino	1%
Middle Eastern	1%
Prefer Not to Answer	12%
White	67%

#### 4. Task Force Recommendations

The Task Force recommends the following individuals be approved by the Board to serve on the committees and resource groups listed below for the 2022-23 term.

*Table A: Committee Member & Chair Recommendations*

Committees		Committee Member Recommendation	Chair Recommendation (if applicable)
1	Audit Committee*	Maria Panyi	TBD
2	Budget Committee	Nzingha Prescod	Sam Cheris (Current Chair)
3	Election Committee	Susan Belanich (Current Chair) David Hitchcock April Alford	Susan Belanich (Current Chair)
4	Ethics Committee*	Rick Torres (Chair Candidate) Valerie Asher Laura Johnson	Rick Torres (Chair Candidate)
5	Nominating Committee*	Sam Cheris Molly Hill Terrence Lasker	Kat Holmes (Current Chair)
6	Hall of Fame Committee	Steve Mormando (Chair Candidate) Damien Lehfeldt Justin Tausig Nikki Franke Donna Stone	Steve Mormando (Chair Candidate)
7	U.S. SEMI Committee	Kathy Walters (Current Chair) Ron Herman David Blake Ted Li Joseph Moore Alice Kee Irene Edgerton Al Merritt Liz Morey Brian Rosen	Kathy Walters (Current Chair)
8	International Relations Committee	Donald Anthony (Co-Chair) Rita Comes (Co-Chair) Kelly Koehler Sam Cheris	Donald Anthony (Co-Chair) Rita Comes (Co-Chair)
9	Tournament Committee	Brandon Rochelle (Current Chair) David Blake Meredith Delgado Maggie Dull Dan Berke Alan Gellar Nathan Anderson	Brandon Rochelle (Current Chair)

10	Veterans Committee	Valerie Asher (Chair Candidate) Bill Walker Vic Bianchini David Hitchcock Chuck Alexander Creston Bailey Kate Sierra	Valerie Asher (Chair Candidate)
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**\* Additional committee members required by USA Fencing bylaws**

- Audit Committee: By-laws require current Independent Director + 2 Non-Officer Board Members to be named
- Ethics Committee: Individual who meets Independent Director criteria to be named
- Nominating Committee: Current or past Independent Director to be named

*Table B: Resource Group Member Recommendations*

Resource Groups		Member Recommendation
1	Club & Member Services Resource Group	Vickie Miller Noah Gistover Jennifer Seachrist Kathy Vail
2	Division Resource Group	Dan Berke Shanna Davis Dennis Kolakowski Jennifer Nollner Brenda Waddoups Rich Weiss
3	Diversity, Equity, Inclusion & Belonging Committee	Alice Dungey Nicholas Harvey Dawn Wilson Nzingha Prescod
4	Marketing & Communications Resource Group	Michael Malecki Adeline Chung-Feder Jeremy Marquez
5	Paralympic Development Resource Group	Sean Shumate Gary Van Der Wege Bill Nikolai Jeff Salmon Harrison Hue Christina Massiala-Vaka Patricia Dykes
6	FenceSafe Resource Group	Cathleen Randall Sarah Kaufman Noah Gistover Rich Weiss Nicole Polanichka Vickie Miller
7	Sports Medicine Resource Group	Adam Thompson Kelcie Whitmann

8	Sports Performance Resource Team	Sam Cheris Kelly Koehler Terrence Lasker Natalie Dostert Daria Schneider
9	Youth Development Resource Group	Ina Hartzanova Simon Pitfield Jennie Salmon Kathy Vail
10	Legal Resource Group	Kenneth Gauvey Stephanie Toussaint

*Table C: Ex Officio & Advisors (where applicable)*

Committee / Resource Group	Ex Officio / Advisors
International Relations Committee	Donald Alperstein Carl Borack Lorrie Marcil Holmes Ted Li Greg Massialas Jeremy Summers Jennifer Yamin
Veterans Committee	Rita Comes
Paralympic Development Resource Group	Julio Diaz
FenceSafe Resource Group	Sam Cheris

## 5. Summary

The Task Force makes the following recommendations to the Board of Directors:

- **Member Approval:** Approve the full slate of recommended members for the committees and resource groups listed in Section 4, Tables A & B of this report.
- **Committee Chair Approval:** Approve the full slate of recommended Committee Chairs listed in Section 4, Table A of this report.

The Task Force also makes the following recommendations to improve the process for subsequent application cycles:

- **Process Timeline:** The extensive review process by the Task Force requires significant time commitment and coordination. As more applications are received in the future, the process must a) kick off earlier to allow the Task Force and National Office a reasonable prep period to update application forms and communications and b) the date for the annual board meeting must be set well in advance to ensure adequate time for review.
- **Application Requirement for Current Committee & Resource Group Members:** Communications to current committee and resource group members should explicitly state that an application is required to be considered for continued service. This requirement should be listed in the call for applications and be communicated consistently by all Committee Chairs and Board/Staff liaisons to their respective members.

- **Age Requirement Per USA Fencing Bylaws:** As previously mentioned in this report, the age requirement of 18+ years old to serve should be explicitly stated in the application form and communications.
- **Bylaw Requirements for Certain Committees:** The criteria required of applicants for certain committees including the Budget and Nominating Committee need to be explicitly stated as part of the application form to ensure that only members meeting that criteria can apply.
- **Committee Chair Succession Planning & Formal Expressions of Interest:** The current application process does not contemplate a formal expression of interest for service as Committee Chairs. A process should be put into place to ensure succession planning and equity in the nomination process.
- **Term Tracker:** Data was available on past committee and resource group members who served from 2020-21 and 2021-22. The review process would have benefited from insight into years prior to 2020 to ensure a balance of new and continuing members. A centralized term tracker should be maintained and provided to future Task Force members (already being actioned by the National Office) to ensure that a) term limits are adhered to per USA Fencing bylaws and b) the composition of committees and resource groups represent a diversity of experiences and perspectives to reflect the evolving nature of the sport.

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## Appendix: Board, Staff, and RC Liaisons

The Board, Staff, and Referees' Commission (RC) liaisons to the following committees and resource groups are subject to change prior to publication on USA Fencing's website.

*Table A. Committee Liaisons*

Committees		Board Liaisons	Staff Liaisons
1	Audit Committee	TBD (previously Al Kidd)	Tabitha Chamberlain
2	Budget Committee	Sam Cheris	Tabitha Chamberlain
3	Election Committee	Donald Alperstein	Phil Andrews
4	Ethics Committee	TBD (previously Lauren Haynie)	Christina Pachuta
5	Nominating Committee	TBD (previously Al Kidd)	Phil Andrews
6	Hall of Fame Committee	Peter Burchard	Jill Grotzinger
7	U.S. SEMI Committee	Donald Alperstein	Glen Hollingsworth
8	International Relations Committee	Lorrie Marcil Holmes	Phil Andrews
9	Tournament Committee	Peter Burchard	Glen Hollingsworth
10	Veterans Committee	Abdel Salem	Phil Andrews

*Table B. Resource Group Liaisons*

<b>Resource Groups</b>		<b>Board Liaisons</b>	<b>Staff Liaisons</b>
1	Club & Member Services Resource Group	David Arias	Beth Mahr
2	Divisions Resource Group	Donald Alperstein	Brad Suchorski
3	Diversity, Equity, Inclusion & Belonging Committee	TBD (previously Lauren Haynie)	Shannon Jolly
4	Marketing & Communications Resource Group	TBD (previously Al Kidd)	Bryan Wendell
5	Paralympic Development Resource Group	Abdel Salem	Cat Bouwkamp
6	FenceSafe Resource Group	Sam Cheris	Christina Pachuta
7	Sports Medicine Resource Group	Kat Holmes	Peggy Chin
8	Sports Performance Resource Team	Lorrie Marcil Holmes	Kate Reisinger
9	Youth Development Resource Group	David Arias	Suzie Riewald
10	Legal Resource Group	Donald Alperstein	Christina Pachuta

*Table C. RC Liaisons (where applicable)*

<b>Committee / Resource Group</b>	<b>RC Liaisons</b>
U.S. SEMI Committee	Bradley Baker
Tournament Committee	Sean Shumate
Diversity, Equity, Inclusion & Belonging Committee	Tasha Martin
FenceSafe Resource Group	Sue Borgos

**USA FENCING INC.**

**ETHICS and JUDICIAL COMMITTEES  
COMPLAINT and HEARING PROCEDURES**

**October 31, 2022**



## **SECTION 1.**

### **INTRODUCTION**

The following Complaint and Hearing Procedures (“Procedures”) apply to complaints that are filed with the United States Fencing Association (“USFA”) and are within the jurisdiction of the Judicial Committee. Any person who becomes a member of USFA or participates in USFA-sanctioned events agrees to be subject to these complaint procedures.

## **SECTION 2.**

### **JURISDICTION**

The USFA Judicial Committee is created and governed by the USFA Bylaws, Code of Ethics, and Safe Sport Strategy, Policies, & Procedures (“FenceSafe”). The purpose of these Complaint and Hearing Procedures is to provide a mechanism for adjudicating cases that fall within any of those policies, and nothing in these Procedures shall be construed as expanding or limiting the jurisdiction of the Committees.

## **SECTION 3.**

### **COMPLAINTS**

**§3.1 Contents.** A Complaint alleging a violation of the Ted Stevens Olympic and Amateur Sports Act, USOPC Bylaws, USFA Articles of Incorporation, USFA Bylaws, any USFA rule or regulation, USFA Code of Conduct, FenceSafe, USFA Code of Ethics, or rule providing for the opportunity of an athlete or other person to participate in any competition shall:

§3.1.1 Identify the individual filing the Complaint (with membership number) and the individual(s) against whom the complaint or grievance is filed including, where available, the membership number of the individual and any contact information the Complainant has for the individual;

§3.1.2 Set forth a statement in clear and concise language of the conduct or omission that is alleged to constitute a violation;

§3.1.3 Identify where possible the specific policy or rule that the Complainant alleges has been violated;

§3.1.4 Be signed by the person making the Complaint or, where the Complainant is a minor, by his or her parent or legal guardian, who shall attest to its validity, under express affirmation that all factual statements contained in the Complaint are true to the best of the Complainant’s knowledge, information and belief;

§3.1.5 Provide a telephone number and sufficient contact information for the Complainant or the Complainant’s counsel or legal representative (or, for a minor, the minor’s parent or legal guardian) to permit the exchange of information in written or electronic form (address or e-mail);

## **USA Fencing – Complaint and Hearing Procedures**

§3.1.6 Be accompanied by a fee of \$250, except for cases in which the Complaint is filed by or on behalf of USFA under the provisions below;

§3.1.7 State the relief sought, except that the relief specifically requested shall not serve as a limitation on the relief that the Hearing Panel may grant.

§3.1.8 Attached documentation or materials in support of the Complaint, except that the attachment of information or materials shall not serve as a bar to the Complainant's subsequent provision of information in accordance with the Hearing Panel's procedural orders.

**§3.2 Filing and Distribution.** A Complaint shall be filed with the Chair of the USFA Board of Directors and the USFA Athlete Safety and Compliance Manager, and may be filed by mail or by e-mail.

§3.2.1 Upon receipt of the Complaint, the USFA Athlete Safety and Compliance Manager may determine in the sole exercise of the Manager's discretion that USFA will serve as the Complainant. The decision of the Manager shall not be subject to review, and no Complainant shall have the right to have USFA serve as the Complainant in any case.

§3.2.2 The Judicial Committee may waive any defect or insufficiency in any Complaint filed hereunder, or accept an insufficient provisionally but conditioned on the Complainant furnishing additional information with respect to the Complaint.

§3.2.3 The Manager shall have the right to file a Complaint on behalf of USFA even in the absence of a third-person Complaint being filed.

### **SECTION 4.**

#### **COMPLAINT DISTRIBUTION AND APPOINTMENT OF HEARING PANEL**

Upon receipt of a Complaint, the Complaint shall be distributed and served as follows:

**§4.1** The Manager shall forthwith forward a copy of the Complaint to the Chair of the Judicial Committee.

**§4.2** The Judicial Committee Chair, or his/her designee, shall perform an initial review of materials provided with the Complaint to ensure that the Complaint is complete under the provisions of Section 3 and that it is neither frivolous nor beyond the Committee's jurisdiction, nor inappropriate for the Committee's consideration in light of existing or available collateral proceedings (such as other civil, criminal, or administrative proceedings). Any decision by the Chair regarding the exercise of jurisdiction over the Complaint may be undertaken by the Committee itself as well.

**§4.3** The Judicial Committee may dismiss a Complaint that fails to comply with the provisions of Section 3 fourteen days after giving the Complainant notice of deficiencies and an opportunity to cure them.

## ***USA Fencing – Complaint and Hearing Procedures***

**§4.4** In the event that the Chair or the Committee dismisses the Complaint on the basis that it is frivolous or beyond the Committee's jurisdiction or inappropriate for the Committee's consideration in light of existing or available collateral proceedings (such as other civil, criminal, or administrative proceedings), the Chair or Committee shall state its reasons for dismissal in writing, which writing shall be communicated to the Complainant.

**§4.5** If the Complaint is not dismissed upon initial review by the Committee, the Committee shall instruct the Manager to serve the Complaint in full, including all supporting documents, not more than 14 days after receipt of the Complaint and a copy of these procedural rules by certified mail, return receipt requested or by e-mail at any member's registered e-mail address.

**§4.6** The Respondent(s) shall have fourteen days from service of the Complaint to file a written response to the Complaint, if he/she wishes, or such shorter time as the Committee Chair shall require where the nature of the Complaint requires expedited procedures. When the nature of the Complaint requires expedited procedures, the Chair may impose such deadlines as are reasonable under the circumstances, taking into account the necessity of expedited procedures and the provision of a fair opportunity for the parties to prepare for any hearing to the extent reasonably possible. The failure to file a written response shall be deemed to constitute a denial of the allegations of the Complaint. The Panel shall serve a copy of the response on the Complainant at the address set out in the Complaint.

**§4.7** After the initial review has been completed and the complaint accepted, the Committee Chair shall assign the Complaint to a Hearing Panel of three (3) members, at least one of whom shall be an athlete satisfying the requirements of the USOPC Bylaws. Hearing Panel members may be (but are not required to be) members of the Judicial Committee, and they need not be "Independent" as that term is defined in the USFA Bylaws. Upon appointment of the Hearing Panel, the Committee Chair shall notify the parties of the identify of the Panel Members.

**§4.8** All Hearing Panel members shall be impartial, disinterested and shall be free of any actual or apparent conflict of interest. Within seven days of appointment to a Hearing Panel, each Hearing Panel member shall expressly confirm that he/she has no known conflicts, and shall disclose upon appointment any potential appearances of impropriety.

**§4.9** In the event any party objects to the composition of the Hearing Panel, the Judicial Committee shall determine the validity of such challenge. A challenge shall be upheld if the challenged member's service involves an actual conflict or reasonably creates an appearance of a conflict or other impropriety, and any member so removed shall be replaced by the Committee Chair, ensuring that the composition of the panel satisfies the requirements set out above.

**§4.10** The Judicial Committee shall endeavor to maintain a pool of qualified Hearing Panel members approved by the Board of Directors.

## **SECTION 5. SANCTIONS**

## **USA Fencing – Complaint and Hearing Procedures**

A Hearing Panel, after conducting such investigation or hearings as they may determine to be necessary, may impose any of the following sanctions or resolutions:

**§5.1** Dismiss the Complaint with or without permission to re-file;

**§5.2** Censure a party, publicly or privately;

**§5.3** Establish a period of probation, with or without conditions;

**§5.4** Deny, grant, suspend or restore the eligibility or right to compete or participate of any member of USFA;

**§5.5** Issue such interim orders, prohibitory or mandatory in nature, as may be necessary pending a final decision; and

**§5.6** Deny, grant, suspend or restore membership in USFA for a definite or indefinite period of time, with or without terms of probation, or expel any member of USFA, including any administrator, athlete, coach, trainer, manager, meet director, official, officer, Board Member, coordinator, chair or member of any committee or sub-committee;

**§5.7** Assess actual costs to the prevailing party or refund any filing fee paid by the prevailing party; and

**§5.10** Assess sanctions in any combination of the foregoing or assess any other remedies deemed appropriate under the circumstances.

### **SECTION 6.**

#### **DOPING DECISIONS**

The Committee shall not have any jurisdiction to adjudicate complaints that fall within the exclusive jurisdiction of the United States Anti-Doping Agency, or the doping rules of FIE, or complaints over which the US Center for Safe Sport has exclusive jurisdiction or has given USFA notice that it is exercising discretionary jurisdiction.

### **SECTION 7.**

#### **FIELD OF PLAY DECISIONS**

The final decision of a referee during a competition regarding a field of play decision (a matter set forth in the rules of the competition to be within the discretion of the referee) shall not be reviewable through, or the subject of, these complaint procedures unless the decision is: the product of fraud, corruption, partiality or other misconduct of the referee. For purposes of this Section, the term “referee” shall include any individual with discretion to make field of play decisions.

### **SECTION 8.**

#### **PRELIMINARY HEARING and TEMPORARY ORDERS**

## ***USA Fencing – Complaint and Hearing Procedures***

In appropriate cases, the Committee Chair, after an initial investigation and after providing the Respondent an opportunity to be heard, may impose such temporary orders as may be necessary for the good of the sport of Fencing and the protection of members. The temporary order may encompass any remedy or order permissible in a final decision (except expulsion).

### **SECTION 9. HEARINGS**

**§9.1** The Chair of the Hearing Panel shall preside over any hearing ordered by the Hearing Panel. Upon receipt of Complaint and a response (if any), the Chair shall conduct a preliminary conference during which the Panel shall impose dates for (a) any hearing the Panel deems necessary, (b) the parties' exchange of all exhibits to be used as evidence, (c) the parties' identification of witnesses, their contact information, and a brief statement as to the subject matter of their testimony, (d) submission of hearing briefs by the parties if desired by the Panel, and the date of any hearing, which hearing shall not be later than ninety days after the last submission by the parties. In the event that neither party requests a hearing, the Hearing Panel may adjudicate the matter on written submissions. Any deadlines established in the preliminary conference shall allow sufficient time for any party to examine evidence so as reasonably to prepare for the hearing.

**§9.2** The Panel may impose such sanctions as it may deem advisable for the failure of any party to comply with the procedural orders of the Panel.

**§9.3** A hearing before the Hearing Panel may be held in person, telephonically, or through a teleconference service, which hearing shall be held in real-time and shall provide any party the opportunity to attend the entire proceedings (except deliberations by the Hearing Panel) unless the right to a hearing is waived by the parties. Any witness who testifies must be sworn upon that witness's oath to testify truthfully. Where appropriate and with the consent of the parties, the hearing may be conducted in part through written means and in part by testimony and oral argument, except that the Hearing Panel shall not consider any written or oral evidence that the opposing party has not been given an opportunity to rebut.

**§9.4** The Complainant(s), the Respondent(s) and any other person participating in a hearing conducted by a Hearing Panel shall be entitled to be represented by counsel of their choice at their own expense.

**§9.5** Judicial rules regarding admissibility of evidence shall not apply to the Hearing Panel, except that the Hearing Panel shall respect all lawful claims of privilege based on Colorado law.

**§9.6** Any hearing, or a part thereof, shall be open to members of the Hearing Panel, any attorney advising the Hearing Panel Chair, the Complainant(s), the Respondent(s), any other real party in interest, their counsel and any witnesses except that the Hearing Panel shall exclude from the hearing any witnesses who have not testified if so requested by any party. The Hearing Panel Chair may, in the interests of justice and the sport of Fencing, direct the participants to keep the proceedings and the decision confidential and all or parts of the record of the hearing to be kept

## **USA Fencing – Complaint and Hearing Procedures**

confidential by the Hearing Panel and USFA except such public sanctions as may be imposed.

**§9.7** Except for emergency hearings, which shall not require agreement of the parties, the Hearing Panel Chair for the hearing may order, with the agreement of all parties, an accelerated hearing schedule in the interest of justice.

**§9.8.** In all hearings, the Claimant shall bear the burden of proving any alleged violation by a preponderance of the evidence.

### **SECTION 10.**

#### **PRE-HEARING PROCEDURES**

The procedures to be followed in connection with all hearings of the Ethics Committee Hearing Panel shall be as follows:

**§10.1** The Hearing Panel Chair shall issue a Preliminary Hearing Order setting out the deadlines established under Section 9.1.

**§10.2** The Hearing Panel, may, sua sponte or upon motion and for good cause, amend any of the dates set out in the Preliminary Hearing Order.

**§10.3** No party or party representative shall engage in any *ex parte* communication with the Hearing Panel Chair or the members of the Hearing Panel. All requests for relief shall be made in writing and submitted to the Hearing Panel Chair and its members, with a copy to the opposing party or the opposing party's counsel.

**§10.4** In addition to the items set out in Section 9 above, the Hearing Panel may impose such other procedural orders as it deems necessary to the efficient conduct of proceedings.

**§10.5** A Respondent may seek dismissal of a Complaint on any grounds set out for denial of jurisdiction above by filing a motion with the Hearing Panel, except that the filing of a motion shall not stay the running of any other timeliness hereunder unless ordered by the Hearing Panel. A Claimant shall have seven days to respond to such motion or such additional time as the Hearing Panel may order. The Hearing Panel may deny the motion to dismiss without awaiting a response from the Claimant.

### **SECTION 11.**

#### **CONDUCT of HEARING**

**§11.1** Hearings shall be conducted fairly and in an orderly fashion, but without regard for the formalities of traditional courtroom procedures. Any hearing shall be set in a manner that allows any party to participate in person or by videoconferencing.

**§11.2** The hearing may proceed in the absence of any party who fails to be available at the duly noticed time and the hearing may proceed to judgment despite that person's absence. If the Hearing Panel Chair determines that in the interests of justice and the sport of Fencing the hearing cannot proceed without the absent party, the Hearing Panel Chair may adjourn the hearing and reschedule it for such time as the absent party can be present. Any subsequent absence may be taken into

## ***USA Fencing – Complaint and Hearing Procedures***

account by the Hearing Panel in reaching its decision, and the Hearing Panel may impose reasonable conditions on the missing party for continuation of the hearing.

**§11.3** The hearing shall be conducted in the following manner, and the Hearing Panel may set reasonable time limits for each portion of the hearing consistent with the nature of the hearing and relief sought.

**§11.3.1** The Hearing Panel Chair shall open the hearing and conduct such preliminary matters as may be necessary.

**§11.3.2** Each party shall have the opportunity to make a brief opening statement

**§11.3.3** The Complainant shall call each of its witnesses for examination, which witnesses shall be sworn upon his/her oath, substantially as follows: “I do hereby swear or affirm under penalties of perjury that the testimony I give shall be true and complete.” In lieu of formal examination, the witnesses may make a statement after being sworn. Upon completion of each witness’s examination or statement, the opposing party(ies) or their counsel may cross-examine the witness. The Hearing Panel Chair shall have the power to limit the cross-examination as may be necessary to avoid the introduction of irrelevant evidence, to protect against harassment or intimidation of any witness, or to avoid repetitive testimony, except that the Chair may not completely bar the cross-examination of any witness. The Complainant shall then have the opportunity to conduct re-direct examination and any witness shall have the opportunity to make a concluding statement limited to the issues that were raised in cross-examination. No further examination or statements shall be permitted except as the Hearing Panel Chair may permit in his/her discretion.

**§11.3.4** Following conclusion of the presentation of witnesses or witness statements by the Complainant, the Respondent shall have the opportunity to present witnesses in the same manner as above.

**§11.3.5** Following the conclusion of the presentation of witnesses or witness statements by the Respondent, the Complainant shall have the opportunity to present witnesses in the same manner as above limited to new evidence that was presented by Respondent’s witnesses.

**§11.3.6** Following conclusion of the Complainant’s rebuttal evidence, each side shall be permitted to give closing argument. The Hearing Panel Chair shall decide on the time limits for such closing arguments. The Complainant may divide closing argument time so as to permit rebuttal of the Respondent’s closing argument.

**§11.3.7** The Hearing Panel members may question any witness presented by the parties. The Chair of the Hearing Panel shall direct the order of such questioning and any follow-up questions by the parties.

**§11.3.8** Within thirty days following completion of the hearing and within ninety days of receipt of the complaint, the Hearing Panel shall issue a written decision and findings, serve it on the parties, and shall complete the hearing information form utilized by USFA.

**§11.3.9** No failure to satisfy the timing requirements of any of these Complaint and Hearing Procedures by USFA or by any Hearing Panel shall serve to invalidate any decision or to deprive the Hearing Panel of jurisdiction over the Complaint.

**SECTION 12.**

**ANTI-RETALIATION**

No person shall engage in any retaliation against any person who files a Complaint under these procedures or participates in the prosecution of such a complaint. For purposes of this policy, "retaliation" means any adverse or discriminatory action, or the threat of an adverse or discriminatory action, including removal from a training facility, reduced coaching or training, reduced meals or housing, and removal from competition, carried out against a protected individual as a result of any communication, including the filing of a formal complaint, by the protected individual or a parent or legal guardian of the protected individual relating to the allegation of physical abuse, sexual harassment, or emotional abuse. The phrase "person . . . who participates in . . . " shall be read to include (but not be limited to) any person who serves as a witness, who provides information in support of any investigation, or in any manner is associated with the investigation or pursuit of prosecution of a Complaint filed hereunder, regardless of whether that person testifies." The violation of this Section shall constitute a violation of a USFA rule and shall be subject to sanctions hereunder.

**SECTION 13.**

**APPEALS**

The decision of the Hearing Panel may be appealed to the Board of Directors or, when required by the Ted Stevens Olympic and Amateur Sports Act, to an established major national provider of arbitration and mediation services based in the US and designated by USOPC with the concurrence of the USOPC AAC and the National Governing Bodies' Council. The standard on appeal to the Board of Directors shall be the same as the legal standard imposed for the review of decisions of administrative agencies by courts of law. No appellant shall have the right to a hearing de novo before the Board of Directors. For purposes of Section 9 of the USOPC Bylaws, a party shall not be deemed to have exhausted his/her administrative remedies with respect to an alleged denial (or threat of denial) of an opportunity to compete unless the party has sought relief from the Judicial Committee (or been made a party to a Complaint seeking relief from the Judicial Committee), and the request for relief has been adjudicated by the Judicial Committee.

**SECTION 14.**

**CONTACT INFORMATION**

**USOPC OMBUDS OFFICE and  
USOPC CHIEF ETHICS AND  
COMPLIANCE OFFICER**

These Procedures are administered by Christina Pachula, USFA Athlete Safety and Compliance Manager, who can be reached at [C.Pachula@usafencing.org](mailto:C.Pachula@usafencing.org) or by phone at 719.2.5.9.2.5.4.4..



### ***USA Fencing – Complaint and Hearing Procedures***

Certain persons who are involved in any disciplinary procedure may be able to obtain additional information or assistance through the office of the USOPC Ombuds, whose contact information and resources can be accessed at <https://www.teamusa.org/athlete-ombuds>, or at 1-719-866-5000. The Athlete Ombuds office can also be reached through e-mail at [Ombudsman@usathlete.org](mailto:Ombudsman@usathlete.org)

In addition, any person who has concerns not addressed in these procedures may address inquiries to Holly Shick, USOPC Chief Ethics and Compliance Officer at [Holly.Shick@usopc.org](mailto:Holly.Shick@usopc.org)

## **Disciplinary Panel Pool – Suggested Pool for Approval.**

### **Lew Siegal – New York City NY**

Law School - Georgetown University Law Center

Private Practice - 1981 to present

Admitted to Practice

- New York State Courts
- Federal Courts
  - Southern District of New York
  - Eastern District of New York
  - Western District of New York
- US Court of Appeals - 2nd Circuit

President - USFA - 1984-1988

Member Board USOC 1984 - 2000

### **David Eldridge – Springfield IL**

David Eldridge currently maintains a solo law practice focusing on government relations. He also serves as an Independent Director on the USA Volleyball Board of Directors. Further, David has much experience in and out of Illinois government and he has also served as an Officer in the U.S. Navy-Reserves.

David possesses a J.D. from Tulane University Law School and a B.S. in Business Administration from the University of Illinois at Urbana-Champaign. He is licensed to practice law in Illinois, Mississippi, and the District of Columbia.

In his private time, David enjoys both foil and saber fencing as well as writing poetry.

David resides in Springfield, Illinois, with his wife, Sara, and their daughters, Louisa and Abigail.

### **Dawn Wilson – Louisville KY**

Dawn Josephine Wilson is a Kentuckian and profes , with extensive accomplishments in business, sports, and Government. She graduated from Transylvania University in Lexington, KY with a B.A. in Political Science/International Affairs, and Graduate Studies/ MBA from the University of Kentucky.

Dawn has won awards for her work on issues relevant to the GLBT community, and served as Co-Chair of the Committee of Fairness and Individual Rights, She currently serves as a Commissioner with the Louisville Metro Human Relations Commission, appointed by Mayor Jerry Abramson in 2010 and reappointed by Mayor Greg Fischer to a full term in Nov 2011. She completed her 10 year term on October 1,2020. Dawn served as a the Commission's Education Chairperson, responsible to facilitate communications with the Community at large in an effort to establish dialogues around the current disconnects that exist currently in educational system dealing with access and diversity. Dawn organized quarterly dialogue with the Jefferson County School Board, developing a partnership to create an environment that will foster learning at a higher level, engaging parents and the community at large. She has been a member of the advisory councils for both the W.E.B. DuBois school, and Grace M. James Academy. Ms. Wilson also has a scholarship named for her at U of L in honor of her activism.

Dawn also is an avid fencer, involved in efforts to grow and promote the sport in the area with youth. She finished a three year term as USFA KY Division Secretary and now serves a four year term as the chair of the USFA KY Division. In 2004, Dawn joined the Louisville Fencing Center and by 2006, Dawn was elected to the board of the Kentucky Division United States Fencing as secretary, completing her term in 2008. She would return to the division board in 2013 as Chair, and she currently serves in that capacity. As a result of her leadership, the 2020 US Fencing Summer National tournament was awarded to Louisville, involving 5k-6k fencers over a 10 day period. ( Unfortunately the pandemic canceled the event) As a competitive fencer, from 2007-2010, Dawn was the women's Saber Division champ and Great Lakes Sectional divisional champ. In 2008, Dawn took her first national bronze, and remained national bronze medalist from 2008 until 2014. In 2014 she became the women's veteran saber national fencing champion. She repeated this in 2015. Then added to it a North American Cup Championship. In 2017 and in 2018, Dawn qualified to fence at the World Veterans Championships and was rated as high as 14th at one time in the world in veterans' saber. In 2020, Dawn joined USA Fencing's DEIB(diversity, equity,inclusion,and belonging) committee working on diversifying the sport.

Currently, she is the Afterschool Coordinator/ coach at the Louisville Fencing Center managing 7 school programs and 2 coaches.

Dawn also serves as an Elder of Douglass Blvd. Christian Church.

### **Jonathan Hirsch – Huntington Woods MI**

Jonathan Hirsch is an expert real estate lawyer. His primary focus is complex property transactions including acquisitions and disposals, due diligence investigations, tenders, subdivision and titling matters, commercial and residential developments as well as large-scale standalone and stream commercial and retail leasing and licensing transactions. He has extensive experience in contractual drafting and negotiation, and understands the importance of practical and workable advice.

Jonathan's approach is strategic, direct and commercial. He acts for statutory entities, national corporations, developers and property land-bankers and has worked on a number of high profile and landmark property projects. Through his extensive experience in property related transactions of all sizes, Jonathan is a versatile lawyer and is equipped to advise his clients in relation to any property activity.

Jonathan joined SBA Law in November 2014. Previously, he was a Senior Associate in the real estate division of Minter Ellison Lawyers, a leading international multi-practice law firm, and a Special Counsel at Consult Solicitors, a boutique property, commercial and litigation practice. Jonathan was admitted to practice in 2004 and holds honours bachelor degrees in law and commerce. In 2010, Jonathan was awarded the Victorian Young Property Lawyer of the Year by the Law Council of Australia.

**Mario Trimble\* – Denver CO**

Mario concentrates his practice in the area of municipal finance, acting primarily as bond counsel and disclosure counsel for various Colorado governments and related entities. For more than a decade, Mario has represented an average of 30 different Colorado public entities of varying sizes per year on financings ranging in scope from \$450,000 to \$150,000,000.

Mario is a member of the Denver Bar Association Board of Trustees, the board of governors and the executive committee of the Center for Legal Inclusiveness, a Colorado nonprofit corporation dedicated to increasing diversity and inclusiveness in the legal profession which has received national and local recognition for its continuing commitment to inclusive excellence. He is currently its treasurer.

**Vickie Miller\* – Durham NC**

Existing Hearing Panel Member for USA Fencing.

Vickie Miller has 20+ years in the education and community economic development fields. She has served as a teacher, managing director of grant development company, as executive director of a nonprofit, and as Director of the State of North Carolina Community Development Block Grant program. Currently, Vickie serves as the Director of Learning and Development with a statewide membership association. Civically, Vickie has been active on several local, state, and national non-profits boards as founding board member and board officer. She currently serves as Chair of Empowered Parents in Community and as the National Director of Training for the American Descendants of Slavery Advocacy Foundation (ADOS AF).

Vickie is active in the fencing community and serves on resource teams with USA Fencing including FenceSafe and the African American & Black Heritage Council. Vickie also serves as President of WFencing. She has a B.A. and M.Ed. in Education from the University of North Carolina at Chapel Hill. She is a Certified Public Manager, holds certifications as a Housing Development Finance Professional and Economic Development Finance Professional with the National Development Council, and the Municipal and County Administration Certification from the University of North Carolina School of Government. Vickie lives in Durham, North Carolina with her husband, Paul. Their daughter, Sky, a junior double majoring in chemistry and materials science, fences saber at Northwestern University

**Jonathan Hirsch – Huntington Woods MI**

Jonathan Hirsch is an expert real estate lawyer. His primary focus is complex property transactions including acquisitions and disposals, due diligence investigations, tenders, subdivision and titling matters, commercial and residential developments as well as large-scale standalone and stream commercial and retail leasing and licensing transactions. He has extensive experience in contractual drafting and negotiation, and understands the importance of practical and workable advice.

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at Consult Solicitors, a boutique property, commercial and litigation practice. Jonathan was admitted to practice in 2004 and holds honours bachelor degrees in law and commerce. In 2010, Jonathan was awarded the Victorian Young Property Lawyer of the Year by the Law Council of Australia.

### **Regis Becker – Pittsburgh PA**

Retired Chief Ethics & Compliance Officer for Penn State University.

Becker began his work at Penn State in 2013. Since that time he has built a team whose responsibilities and achievements include: the creation of a [comprehensive compliance training program](#) for all university employees, including institutional ethics and child abuse prevention training; university-wide efforts to confront workplace climate issues and to [encourage reporting of wrongdoing](#), including a four-fold increase in reports to the [Penn State Hotline](#); periodic distribution of the comprehensive Penn State Values and Culture Survey, whose [2014 results](#) led to the creation of the institution-wide [Penn State Values](#); compliance efforts focused on [youth programs](#); and establishment of a university-wide [export compliance program](#), among many other initiatives. Becker was one of a number of university leaders assigned to implement the recommendations of the Freeh Report.

Becker and his team also have played a key role in helping to facilitate the work of the Board of Trustees' Committee on Legal and Compliance, and led in the creation of Penn State's [university-wide compliance plan](#)

### **Aimee Rice – Pittsburgh PA**

Aimee Rice is a Project Manager at Pittsburgh-based COMPASS ADVISORY PARTNERS. Aimee is a hands-on experienced financial executive who specializes in providing financial oversight and day-to-day management support to a variety of entities including Export, Manufacturing, O&G and Distribution. Her experience includes the responsibility of decision making and reporting for companies placed in bank turn around, with positive outcomes for both the company and lender. She has also been an integral part of corporate asset sales and re-organization under new ownership of companies with gross revenues of between \$25mm to \$100mm.

Aimee has served a lead role in financial restructuring projects and has also participated in mergers between private and public corporations. She excels in cash management and margin improving cost-cutting initiatives.

She has a wide range of experience including direct involvement in negotiations with lenders, customers, and trade creditors. Aimee has also implemented purchasing initiatives to reduce costs, and has experience in the renewal process of collective bargaining agreements. She has had the responsibility of business planning, cash management, and all financial analysis and reporting functions.

During her 20+ years as a corporate business professional, Aimee has worked effectively with lenders, attorneys, owners, Boards of Directors and senior management teams on all levels of not only finance, but also within operations.

Aimee is a member of the [Turnaround Management Association](#). She received her Bachelor of Science Degree from the University of Pittsburgh at Johnstown.

### **Michelle Ku – Dallas TX**

Michelle is a business litigator who has successfully represented businesses and individuals in various industries in high-stakes trials and appeals and in matters involving local, state and federal governments. Her practice focuses on business cases involving antitrust, government investigation response, class actions, tax controversy, intellectual property and energy, regulatory and commercial issues. Her recent trial experience includes litigating an issue of first impression involving claimed deductions under I.R.C. § 199, captive insurance matters under I.R.C. §§ 501 and 831, defending against patent infringement, trademark, trade dress, trade secret, non-compete and Computer Fraud and Abuse Act claims and prosecuting antitrust, fraud, breach of fiduciary duty and contract claims. Michelle also has appellate experience in state and federal courts.

Michelle relies on her creative legal reasoning and strategies to provide practical advice to clients and win significant verdicts, including a multi-million dollar jury verdict in a recent business fraud and theft case and other favorable results, including dismissal of a trademark lawsuit for lack of personal jurisdiction, dismissal of a class action lawsuit for lack of subject matter jurisdiction where damages sought exceeded \$1 billion and denial of class certification in a putative class action arising from the sale of allegedly defective mobile devices. Whether the circumstances require tactful extrajudicial negotiations to resolve burgeoning business disputes or bet-the-business litigation before a judge, jury, arbitral panel or government agency, Michelle is a fierce advocate for her clients at every stage. In addition to taking her clients' cases from initial investigation through trial and into successful appeals, Michelle counsels clients on dispute avoidance and implementing strategies geared toward resolving business challenges early and minimizing risk and liability in operations going forward.

Michelle is a member of the Business Litigation and Dispute Resolution Practice as well as the Tax, Intellectual Property and Energy Litigation Practices and Energy Industry Team. Michelle was honored in 2018 with the Dallas Top 50 Women Lawyers award from the Texas Diversity Council and was recognized by D Magazine as one of its Best Lawyers Under 40 in Dallas.

Prior to joining the firm, Michelle clerked for Judge Catharina Haynes at the United States Court of Appeals for the Fifth Circuit. Michelle earned her law degree with high honors from the University of Texas School of Law, where she was honored as a member of Chancellors, the law school's most prestigious honor society and Order of the Coif. Before pursuing her career as a lawyer, Michelle was a television sportscaster and teacher in Korea.

### **Sam Cheris – Aurora CO**

See separate bio in other Appendix.

### **Paul Levy – Lawrenceville NJ**

Former retired judge of the superior court of New Jersey, Fencing Coordinator for ECAC for 11 years, 6

year captain of the USFA Veterans World Championships.

Arbitrator and mediator for Civil Appeals Settlement Program of the Appellate Division, 2000-2005. Successfully facilitated the resolution of many matters on appeal, including corporate dissolutions, prerogative writs, personal injury matters, family litigation, estate challenges, commercial real estate disputes, information technology matters, insurance coverage disputes, and real estate development contests.

### **Jack Weiner – New York City NY**

Jack Wiener is a graduate of the University of Pennsylvania Law School, where he was an Editor of the *University of Pennsylvania Law Review*. He worked at law firms including Pepper Hamilton & Scheetz and Willkie Farr & Gallagher, before working in-house at The Depository Company where he was Deputy General Counsel, and among other responsibilities handled sexual misconduct matters. He has represented the United States in two multilateral 40-nation treaty negotiations, at the request of the State Department, and serves as an adjunct law school professor. He has represented claimants in matters before USA Fencing and SafeSport. He formerly fenced under Maître Michel Sebastiani.

### **Samuel Lilliard – Columbus OH**

Samuel is a seasoned trial attorney and a fierce litigator for his clients in his practice area of employment defense. Samuel has tried more than 300 bench trials, 15 jury trials, and argued more than 30 cases before Ohio's Appellate Courts, the Ohio Supreme Court, and the U.S. Sixth Circuit Court of Appeals. Despite his assertive style toward high stakes employment cases, Samuel is easily approachable with a warm demeanor and a disciplined ability to listen. You will find that Samuel is not only attentive to your concerns, and very responsive to your queries, but also is genuinely interested in you and your business. This style has allowed Samuel to provide insightful advice to his clients to avoid disputes before they occur. These traits also make Samuel an effective negotiator and advisor to clients and associations on employment policy options and practices.

As a former Assistant Ohio Attorney General and Assistant Prosecutor, Samuel understands government regulations, their limits, and how the agencies operate. With more than 25 years of experience in representing employers in all Ohio, Michigan, and federal courts, as well as the Equal Employment Opportunity Commission (EEOC), the Ohio Civil Rights Commission, the Department of Labor, the Occupational Safety and Health Administration (OSHA), and a myriad of state and local agencies, Samuel is often able to achieve his goal of resolving his client's cases at the earliest opportunity and with the least amount of cost.

Samuel is a frequent public speaker and lecturer on various employment and personnel matters, including issues that arise under the Family and Medical Leave Act, the Americans with Disabilities Act (ADA), drug testing policies, workplace safety, sexual harassment avoidance, employee discipline, wage and hour matters, protecting trade secrets and confidential corporate materials, and the drafting and enforcement of non-compete/nondisclosure agreements.

Samuel is an allied member of the Ohio Hotel & Lodging Association, and a frequent lecturer to the hospitality industry on various employment topics, including public accommodations under the ADA.

Samuel also works with the Ohio Assisted Living Association and is one of their frequent contributors on employment issues for that industry.

Samuel been included by his peers in Ohio *Super Lawyers*® every year since 2009. He is an Ohio State Bar Association (OSBA) Board Certified Specialist in Labor and Employment Law since 2002.

### **Amy Bianchini – San Diego CA**

Amy V. Bianchini is an associate in Ogletree Deakins' San Diego office. She represents employers on a wide range of employment issues including discrimination, wrongful termination, harassment, misclassification, and wage and hour violations. Ms. Bianchini also represents colleges, universities, associations, conference commissioners, coaches, and individuals in employment related issues and investigations into allegations of sexual harassment, discrimination, and other legal matters.

Ms. Bianchini attended the University of California, San Diego, where she was squad captain of the women's epee fencing team, Southern California Intercollegiate Fencing Conference champion for the 2010-2011 season, and earned a silver medal at the 2010 U.S. National Championships in Division II.

Ms. Bianchini earned her law degree from Washington and Lee University School of Law in 2014. While in law school, she was a student attorney with W&L School of Law's nationally-recognized Black Lung Legal Clinic, where she successfully represented a client before an Administrative Law Judge. Her work resulted in the client receiving federal black lung benefits.

Prior to joining Ogletree, Ms. Bianchini was an associate at a California based law firm. She served as a judicial extern to the Hon. John A. Houston of the U.S. District Court for the Southern District of California. She also served as a law clerk to the U.S. Attorney's office for the Southern District of California.

### **Mark E. House – Phoenix, AZ**

Recently chaired a panel for USA Fencing.

House specializes in litigation involving estates, trusts, and financial exploitation. In particular, Mark is considered one of the top litigation attorneys in Arizona with regard to capacity and undue influence issues. He also has significant experience in litigation regarding breaches of fiduciary duty. Mark's practice also involves estate planning. Because of his extensive background in probate litigation, Mark brings additional expertise into this estate planning to ensure that his clients' wishes are carried out. In addition to complex tax planning, Mark has pioneered creative estate and wealth planning techniques for clients interested in cryopreservation, and is a leading authority on the topic.

After growing up in Flagstaff, Arizona, Mark attended Northern Arizona University where he received his B.S.B.A. in Business Economics in 1995. He received his J.D., with distinction, from Emory University School of Law in Atlanta, Georgia in 1998. Upon graduating, he started practicing law in Birmingham, Alabama, until his return to Arizona in 2000.

Mark teaches at Arizona State University Sandra Day O'Connor College of Law, and previously taught at Arizona Summit Law School, in the areas of Decedent's Estates, Trust Law, Estate and Gift Taxation, and Estate Planning. He has been teaching since 2009. He is a Fellow of the American College of Trust and Estate Counsel as well as a Fellow of the American Bar Foundation. Mark is a former Director of the Central Arizona Estate Planning Council and a founding member of the Scottsdale Young Estate Planners. Mark speaks extensively for professional audiences on financial exploitation, undue influence,



and other litigation-related topics, including estate planning techniques for avoiding litigation. He also routinely speaks on issues relating to trusts for cryopreservation.

Mark works extensively with cryonicists regarding estate planning. He developed the Multi-Investor Future Income Trust for Alcor members in order to allow members with more modest estates to save for revival. He also creates custom Future Income Trusts for those with larger estates. His practice includes all of the planning necessary to be cryopreserved. He can also help locate legal counsel in other states for clients who are not in Arizona.

In addition to his trust and estate practice, Mark has spent a great deal of time working with USAW Weightlifting in various capacities, including its Nominating and Governance Committee, as Chair of the Legal Commission, and as a technical official and coach. He is actively involved in governance issues at all levels of weightlifting, including the International Weightlifting Federation. He serves as Counsel for the IWF Athletes Commission, working with the Olympic athletes to protect their collective interests in the sport.

**Jessica Saxon – Trenton, NJ**

JD: Rutgers Law.

Currently serves as the Deputy Attorney General of New Jersey.

Represented State departments and agencies in hearings at the Office of Administrative Law

- Represented State entities and the Governor's Office of Employee Relations in grievance arbitrations and allegations of unfair labor practices filed with the Public Employment Relations Commission
- Composed Appellate briefs regarding the denial of unemployment benefits
- Represented the Division of Alcoholic Beverage Control in prosecuting licensees to ensure compliance with applicable laws, protect the collection of taxes, and maintain trade stability in the industry
- Handled and processed all OPRA requests for the Division of Alcoholic Beverage Control

**Lauri Lewis – Carrollton TX**

Fencer and registered nurse, recently served on USA Fencing panels.

**Arielle Andrews – Washington DC**

Arielle Andrews is an associate at Wilmer Hale, having recently graduated at Stanford Law School. She graduated from New York University (NYU) and was president of the Black student union. During her tenure, she worked towards increasing the diversity of the campus and was honored as one of the institution's most influential students. At Stanford, she has created a non-profit organization, Lesson Check-in, to help students transition successfully to online/distance learning amid COVID-19 social distance restrictions

**Rachel Crass Wood – Arvada CO**

Current Law Student at University of Denver Law School, focusing on Sports Ethics and Sports Law. Former Chair of the USA Weightlifting Ethics Committee, Former member of the USA Weightlifting Legal Commission, former USOPC employee, former World Championship level athlete.

**Anna Sasaki – Phoenix AZ**

JD: Arizona State

Sasaki recently served on a panel for USA Fencing. Recent graduate of Arizona State Law School.

**Selina Kaling – Cupertino CA**

Current Vice President of USA Fencing, see other appendix for Bio.

**Lloyd Hancock – Brighton MA**

Boston College Law School, currently studying law and member of the US Army (Battalion Adjunct). Mr. Hancock



## **Financial Policies and Procedures**

### **General**

The United States Fencing Association, dba USA Fencing, intends this manual to be used as a set guideline for day-to-day business operations. This manual must be approved by USA Fencing's Board of Directors annually and will serve as the sole authority for financial policies and procedures in USA Fencing. Interpretation of the policies and procedures will be at the reasonable discretion of the executive director and director of finance. USA Fencing reserves the right to modify any or all of the material contained in this manual with or without notice, but only with the approval of the board of directors.

### **Financial Planning and Reporting**

USA Fencing's fiscal year officially coincides with the USA Fencing membership year (August 1 to July 31).

The organization's financial statements are prepared in accordance with Generally Accepted Accounting Principles (GAAP). The presentation of the Financial Statements shall follow the recommendation of the Financial Accounting Standards Board (FASB) No. 117, "Financial Statements of Not-For-Profit Organizations." Under GAAP, revenues are classified based on the existence or absence of donor-imposed restrictions. Accordingly, the net assets of the organization are classified as unrestricted, temporarily restricted and permanently restricted.

### **Internal Controls**

The internal controls of USA Fencing are designed to ensure that the financial transactions of the Association are recorded in accordance with generally accepted accounting principles and represent actions desired by USA Fencing's Board of Directors.

The objective of internal controls is to provide reasonable assurance that assets are protected and that reliable financial records are maintained in order to prepare accurate financial statements in a timely manner.

USA Fencing is dedicated to ensuring that all financial operations are conducted under the highest standards of integrity and ethics in compliance with strict internal controls. It is the responsibility of all members of USA Fencing to follow established policies and procedures and to be alert to opportunities of improvements in internal controls.

## **Lines of Authority**

While the ultimate responsibility rests with the board of directors, the day-to-day supervision of the controls is the responsibility of the director of finance, reporting to the executive director.

- The board of directors are required to approve the annual budget.
- The audit committee is responsible for selecting the auditors annually. The board of directors are required to approve the selected auditors annually.
- The director of finance is responsible for reviewing all contracts. Review by in house counsel is optional and utilized on a case-to-case basis. See below for more detail on contracts.
- Contracts must be signed by the director of finance or executive director. See below for more detail on contracts.
- Departmental director and/or director of finance approval is required for all expenses, unless there are unbudgeted expenses that create a variance of \$50,000, in which case board of directors approval is required.
- The executive director is responsible for all hiring, firing and compensation adjustments.
- The Financial Policies and Procedures should be reviewed annually and any changes must be approved by the board of directors.
- The Operations Manual should be reviewed annually and approved by the executive director.
- The Employee Handbook and Athlete Handbook should be reviewed annually and any changes must be approved by the executive director.

## **Contracts**

Contracts must be specifically reviewed and approved by the board of directors when:

- The contract, by its terms, purports to impose requirements on the individual members of USA Fencing;
- The total value of the contract in the present fiscal year (i.e., the potential monetary obligation incurred by USA Fencing under contract) exceeds \$50,000;
- The term of the contract exceeds three (3) years, regardless of value;
- The term of the contract exceeds one year, and either:
  - The total obligation undertaken would cause a variance to the approved budget of more than \$25,000 or
  - Ten percent (10%) of the relevant budgetary line item; or
  - The total value of the contract in any single fiscal year is not provided for by a specific dedicated budgetary allocation and exceeds the greater of \$50,000 or ten percent (10%) of the general budgetary line item to which the contract is to be charged.

Contracts for which provisions are otherwise specifically provided by resolution of the board of directors (including provisions of the Operations Manual, contracts related to the renting of venues and running of tournaments and existing policies for reimbursement or payment of volunteers) are exempt from this requirement.

In addition to the foregoing requirements, all contracts or obligations in aggregate or related financial exposure exceeding \$100,000 or that meet any of the following criteria must be reviewed, prior to their execution, by General Counsel (or under his direction by a member of the Legal Resource Group designated by him) or by such other legal counsel as the board of directors may approve in specific cases:

- Any contract that has rights and or commitments extending for more than one (1) year; or
- Seeks to limit the amount of types of liability of the other contracting party, its subcontracts, agents or USA Fencing successors.

### **Conflict of Interest and Confidentiality Policy**

Conflict of interest, confidentiality and whistleblower policies are provided for in the employee handbook.

- All employees are provided with the employee handbook upon hire and USA Fencing maintains signed acknowledgement letters.
- In the event that changes are made to the employee handbook, employees are notified, in writing, of the change.
- All employees, board, committee, resource team and task force members are required to submit a Conflict of Interest form annually.

### **Segregation of Duties**

The organization's financial duties are distributed among multiple people to help ensure protection from fraud and error. The distribution of duties aims for maximum protection of the organization's assets while also considering efficiency of operations.

- All mail is opened daily by a non-finance department employee and date stamped. Checks are immediately endorsed "for deposit only", currency receipts are marked "CASH" on accompanying documentation. Copies of checks from membership are made prior to turning the checks in to the finance department, all other checks are copied prior to making the deposit.
- Checks are signed by an authorized check signer with the ability to review documentation attached to the invoice in the online accounting system. It is not permissible that any member of the finance department to be an authorized signer on any account. For check payments in excess of \$5,000, two authorized check signers are

required to sign. Payments are not returned to the check preparer and are immediately mailed.

- The same person is not permitted to initiate and approve any wire or ACH transaction.
- Deposits are completed and recorded in the accounting system by the finance manager. Supporting documentation is reviewed and reconciled with the deposit by the director of finance.

### **Computer Security**

The organization maintains physical and cyber security of its assets and information to ensure that only people who are authorized have physical or indirect access to money, securities, real estate, personal information, member data and data systems.

- Personal access passwords must be kept secured and protected and should be changed every three months. Passwords, user-names, safe combinations and access procedures for any system should not be left on desks, posted on computer monitors or otherwise left unsecured.
- The finance department will exit from the accounting system at the end of each day. The accounting system is not to be left open when unattended.
- Anti-virus software firewalls and other IT security will be kept updated.
- Sensitive information must be encrypted prior to being emailed.
- Unsecured internetworks should be avoided whenever possible.

### **Budgeting Process**

The organization's annual budget is prepared and approved by the board of directors annually for all departments. The budget is prepared by the director of finance in conjunction with the department directors, executive director and treasurer. A draft budget is submitted to the Budget Committee for review, edit, comments and approval prior to being presented to the board. The budget is to be approved by the board of directors prior to the start of each fiscal year. Budget revisions during the year, internally known as the "Working Budget", do not require board approval as long as the net income target is not affected. If the budget is revised during the year and this affects the target net income the board of directors approval is required.

- The board of directors are required to approve the annual budget.
- The director of finance will work together with the executive director, department directors and treasurer to ensure that the annual budget is an accurate reflection of programmatic and infrastructure goals for the coming year.
- Operating reserve goals should be considered in drafting the budget.
- The director of finance will present a draft budget to the Budget Committee at least 90 days prior to the end of the fiscal year and at least 30 days prior to its submission to the full board of directors.

- The Budget Committee shall review and approve a recommended fiscal year budget and submit it for approval to the board of directors. The budget shall contain a report of all of the sub budgets income and expense totals, as well as a comparison to prior years and a narrative for each sub budget.
- The board of directors will review and approve the budget by no later than the last meeting prior to the start of the fiscal year.
- A 4 year rolling quad budget will be maintained and updated annually.

### **Internal Financial Reports**

The organization prepares regular financial reports on a monthly basis. All reports are finalized no later than 30 days after the close of the prior month with exception to the fiscal year end.

- The director of finance is responsible for producing the year-to-date reports within 30 days of the end of each month.
- In addition to the year-to-date reports, the director of finance prepares a narrative report that summarized the organization's current financial position and includes explanations for budget variance.
- Budget variances over \$25,000 year to date and 5% annual budget by department discrepancies are explained.
- The department directors, executive director and treasurer review financial reports each month, and the director of finance and treasurer presents reports to the full board of directors on a monthly basis.
- All directors and senior managers are provided limited access to the online accounting system. This provides real time reports with the ability to drill down to account detail.

### **Audit**

To ensure that correct accounting and financial practices are being implemented, USA Fencing will appoint an Auditor to perform a general audit annually. This auditor will be chosen by USA Fencing's Audit Committee with the approval of the board of directors on an annual basis. This is in addition to any audits conducted on behalf of the United States Olympic Committee (USOC) or other grant provider.

- The Audit Committee is responsible for recommending the selected auditors, reviewing and overseeing the financial procedures, controls, reports and regulatory filings of USA Fencing, and reporting on the foregoing to the board of directors.
- The board of directors approves the selection of the auditor.
- The director of finance works directly with the auditors and oversees the audit until its completion. Additional finance and non-finance department staff may be asked to assist with obtaining information needed by the auditor.
- The draft audit report is presented to the audit committee and treasurer for review and approval.

- The annual audit report will be presented to the board of directors for approval and posted on the USA Fencing website.

## **Tax Compliance**

### ***Exempt organization returns***

#### **Form 990**

- Form 990 is due to the IRS on the 15<sup>th</sup> day of the 5<sup>th</sup> month following the end of the organizations taxable year or December 15<sup>th</sup>. Extensions may be allowed if the 990 Form is not completed by that date.
- The same audit company selected for the annual audit should be used to prepare the 990. The director of finance works directly with the tax preparer and oversees the 990 report until its completion.
- The Draft 990 Form report is presented to the director of finance and treasurer for review and approval and signed by the executive director.
- The 990 Form Report will be presented to the board of directors and posted on the USA Fencing website.

The Colorado Charities and Fundraiser Electronic Registration, State of Colorado personal Property Tax Exemption and other state reports are to be completed in a timely manner by the director of finance.

- The USA Fencing's Colorado Charities and Fundraisers Electronic Registration number is: 20043011244. The director of finance is responsible for the registration renewal on the 15<sup>th</sup> day of the 5<sup>th</sup> month following the end of the organizations taxable year or December 15<sup>th</sup>, and if needed, submitting a request for an extension. Registration is completed online.
- State of Colorado personal property declaration paper form is due annually on April 15<sup>th</sup>.
- Copies of completed returns are saved on the QuickBooks drive in Finance Documents\990 Taxes and filed.
- Additional registrations may become necessary in future years and the director of finance is responsible for completing all registrations in a timely manner.

### **The 1042 Annual Withholding Tax Return**

USA Fencing is required to withhold taxes for non-resident alien independent contractors. This applies to non-resident alien contractors that are selected and employed by USA Fencing. This does not include non-resident alien independent contractors that are hired by the Federation Internationale d'Escrime (FIE). Documentation of the interpretation of the requirements under this tax law is on the QuickBooks drive in Taxes\1042 Filing.



- The finance department calculates the required tax withholding on a monthly basis. This expense is entered into the accounting system.
- The director of finance reviews the calculation and approves payment by means of EFTPS.
- Annual returns listed below are prepared by the director of finance and are due by March 15<sup>th</sup>.
- Copies of completed returns are saved on the QuickBooks drive in Taxes\1042 Filing and filed.
- Annual returns due March 15<sup>th</sup>:
  1. Form 1042 Annual Withholding Tax Return – This form is used to report the liability, if any, and serves as a reconciliation of liability to payments made for the year.
  2. Form 1042-T – Annual Summary and Transmittal of Forms 1042-S – This form serves as the cover sheet that summarizes the 1042-S forms.
  3. Form 1042-S – Foreign Person’s U.S. Source Income Subject to Withholding – This form reports the income and withholding information for each individual payee.
- Extensions:
  1. Form 7004 – Application for Automatic Extension of Time – This extends the time to file form 1042 (#1) above) six months. Note that this is only an extension of time to file the report and not an extension of the time to pay.
  2. Form 8809 – Application for Extension of Time to File Information Returns – This automatically extends the time to file Forms 1042-T and 1042-S (#2 and #3 above) for 30 days. If USA Fencing requires additional time, the form may be submitted again before April 14<sup>th</sup> to request an additional 30 days but the second extension is not automatic, and only granted in extreme circumstances.
- Payments
  - All deposits are required to be paid via EFTPS. The frequency the deposits are required depends on the amount of withholding.
- See Form 1042 instructions

## **1099 Forms**

USA Fencing is required to provide the independent contractors with 1099 forms no later than January 31. In February, copies of the IRS Forms 1099 will be forwarded to the IRS with the appropriate summary report.

- The finance manager is responsible for sending out the 1099 forms and forwarding them along with Form 1096 to the IRS.
- The finance department will prepare form 1099 and mail to the individual’s last known address, for each individual who was paid \$600 or more in the calendar year.

- These procedures will be revised automatically to comply with any statutory or regulatory changes.

### **Quarterly/Annual Payroll Reports**

USA Fencing currently employees a PEO to handle payroll and all applicable tax withholding and payments. Employees will received a W-2 directly from the PEO. In February, copies of the IRS Forms W-2 will be forwarded to the IRS with the appropriate summary report from the PEO.

### **Accounting Procedures**

#### **Basis of Accounting**

USA Fencing follows accrual basis of accounting. Accrual accounting is an accounting method that measures the performance and position of a company by recognizing economic events regardless of when cash transactions occur. The general idea is that economic events are recognized by matching revenues to expenses (the matching principle) at the time in which the transaction occurs rather than when payment is made (or received). This method allows the current cash inflows/outflows to be combined with future expected cash inflows /outflows to give a more accurate picture of a company's current financial condition.

- Throughout the fiscal year, expenses are accrued in the month in which they are incurred\*. The books are closed no later than twenty (20) days after the close of the month. Invoices received after closing the books will be counted as a current month expense.
- At the close of the fiscal and calendar years, this rule is not enforced. All expenses that should be accrued in the prior fiscal year or calendar year, are so accrued, in order to ensure that year-end financial statements reflect all expenses incurred during the fiscal and calendar years. Year-end books are closed no later than ninety (90) days after the end of the fiscal year.
- Revenue is always recorded in the month in which it was earned or pledged.

\*As noted above, immediate recognition of sport performance expense and revenue is acceptable for management ease of use of financial data as long as the calendar and fiscal year end of accrual cut offs are strictly followed.

#### **Journal Entries**

Journal entries are made for transactions that do not hit the accounts receivable (AR) or accounts payable (AP) ledgers. All expenses and revenue should be entered by use of the AR and AP ledgers whenever feasible. Journal entries are used for transactions that do not hit the AP and AR ledgers, reclassifying of accounts or dimensions, accruing for expenses, recognizing deferred income or expenses and other accounting corrections.

- Journal entries may be made only by the finance department.

- All journal entries are reviewed by the director of finance and executive director on a monthly basis.

### **Bank and Credit Card Reconciliations**

All bank and credit card statements will be opened and reviewed in a timely manner. Bank reconciliation and approval will occur within twenty (20) days of the close of the month.

- Bank statements and cleared checks are reviewed monthly by the director of finance.
- Once reviewed the finance manager reconciles the accounts.
- Any adjustments resulting from the reconciliations will be entered in the accounting system immediately.
- The director of finance will review and approve reconciliation reports by signing and dating the report in the upper right hand corner.
- In the case that the director of finance completes the reconciliations or the credit card charges are from the director of finance's business credit card, the executive director will review and approve reconciliation reports by signing and dating the report in the upper right hand corner.

### **Monthly Close**

The books are closed no later than twenty (20) days after the close of the month. Invoices received after closing the books will be counted as a current month expense. At the close of the fiscal and calendar years, this rule is not enforced.

- All credit card charges, invoices, receivables and deposits are entered by the finance manager and finance coordinator.
- Monthly journal entries are completed by the finance department.
- The director of finance monitors and assists with the monthly close where needed.
- Bank and credit card reconciliations are completed and reviewed monthly.
- Monthly financials are reviewed by the director of finance and treasurer for variances and unusual transaction or balances.

### **Revenue & Accounts Receivable**

#### **Invoice Preparation**

All products or services not available for purchase directly from the online portals should be invoiced within one week of purchase to ensure all revenues are captured and to maintain a regular healthy cash flow for the organization.

- The USA Fencing staff that takes the order is responsible for providing all relevant expense documentation to the finance department within seven (7) days of the date the order was placed.

- The finance department will enter the receivable and send out the invoice immediately upon receipt.
- As part of the monthly close process the director of finance reviews and Accounts Receivable Aging Report for accounts more than 60 days overdue. The director of finance determines appropriate collection efforts for long outstanding invoices.
- The CEO is notified of any account above \$1000.
- An accounts receivable register is to be sent to the CEO, Treasurer, Board Chair and Staff at the end of each calendar month.
- Unpaid balances will be periodically reviewed for uncollectable items. Uncollectable balances will be written off as bad debt at least annually.
- Bad debt allowance will be reviewed at least annually.

### **Accounts Receivable Process**

- After 30 days, an email reminder will be sent to the account. An email, with payment link, will be re-sent each 7 days until such time as the amount is paid.
- After 60 days, a call will be placed by the Director of Finance, CEO or Treasurer of the organization each 14 days until the amount is paid.
- After 90 days, services will be withdrawn from the account until such time as a payment plan is put in place to the satisfaction of the Director of Finance, or the amount is paid in full.

### **Revenue Recognition**

All revenues and contributions will be recorded in accordance with GAAP, with specific attention to standards FASB 116 and 117. Contributions are recorded as pledged or received in accordance with FASB 116, and must be credited to the appropriate revenue lines as presented in the annual budget and coded as designated in the organization's chart of accounts.

- The finance manager records the deposits and revenue. The director of finance reviews the deposits monthly as part of the monthly close to ensure the proper period, account and dimensions are utilized.
- Revenues from membership related transactions are recognized in the fiscal year it relates. National and international\* event revenue is recognized in the month of the event. Contributions are recorded as pledged or received in accordance with FASB 116.

\*For non-championship international events immediate recognition of sport performance expense and revenue is acceptable for management ease of use of financial data as long as the calendar and fiscal year end accrual cut offs are strictly followed.

### **Receipts**

**Check Receipts**

- Checks are immediately endorsed “for deposit only” and currency receipts are marked “CASH” on accompanying documentation by employee opening the mail.
- Checks/money orders, and all documentation is date stamped and provided to the finance department. Copies of checks from membership are made prior to turning the

checks in to the finance department, all other checks are copied prior to making the deposit.

- Miscellaneous funds (contributions, accounts receivable and non-membership) are processed by the finance department.
- Contributions/donations are acknowledged via a standard letter prepared by the development department and signed by the executive director.
- The finance department marks accounts receivables as paid at the time of entry into the accounting system by applying the deposit to the receivable.
- Returned checks will be charged a \$25.00 fee in addition to the amount of the returned check. Amounts are invoiced and payment is expected in the form of a money order or cashier's check.
- Membership applications/renewals are forwarded to a member services representative. The processed checks are turned in daily to the finance coordinator, who pulls the report and balances the deposit. The finance coordinator turns the checks and report into the finance manager for entry into the accounting system.
- Tournament entries for national events are processed as received by the finance department.

### **Credit Card Receipts**

- Payments made by credit card, received either via mail or fax, that are not membership dues or a national tournament entry, are forwarded to the finance department for processing through the online virtual terminal.
- The virtual terminal company closes and deposits daily. The finance manager will pull a batch report from the virtual terminal company, and inputs into the accounting in the accounting system.
- Memberships are processed by the member services department through the USA Fencing database.
- National event entries are processed by the national events department through the USA Fencing database.

### **Cash Receipts**

At times it may be necessary for staff members to handle cash at events. The following procedures will be used to limit the possibility of loss.

- At the point of receipt, cash is placed in a secure receptacle.
- The staff member that is responsible for the cash and a second party will open the receptacle and count currency onsite. The amount collected should be recorded on the daily register report and initialed by both individuals that counted the cash.
- Once the cash has been counted, secure it in a location that can only be accessed by authorized individuals.

- Cash payments made at tournaments are delivered to the office by the events staff member that is responsible for the money with the accounting sheet and documentation for processing. The finance department reconciles the cash receipts using the account sheet and prepares the deposit.
- It is preferable that a finance department staff member attend international events hosted by USA Fencing, when a large amount of cash is expected to be collected, to collect and track all cash that is received and disbursed per event requirements.

## **Deposits**

- Deposits are transported to the bank by a finance department staff member who did not prepare the deposit. Deposit slips are returned to the finance department to accompany the deposit documentation.
- Receipts not deposited on the day of receipt are kept in a locked fireproof file cabinet or safe. UNDER NO CIRCUMSTANCES IS A DEPOSIT TO BE LEFT UNSECURED.
- Deposits will be made whenever funds exceed \$10,000. However, deposits are to be made a minimum of once a week regardless of the amount and deposits should never be left over a weekend or when the office will be closed longer than one full day.

## **Grants**

### **USOC Grants**

The USOC provides grant funding for specific projects and purposes. It is the responsibility of the director of sports performance and the director of finance to ensure USOC grant funds are properly accounted for and properly expended.

- USOC grant fund payments will be recognized as revenue when received. The use of funds will be reviewed against qualifying expenses at the fiscal year end. If revenues do not match up with qualified expenses, an adjustment for the remaining revenue balance will be recorded as “deferred USOC revenue” until qualifying expenses can support the recognition of the revenue.
- All USOC supported projects will have separate budgets and/or be accounted for with accounting system dimensions that can be isolated to the funded activity.
- The director of finance and director of sports performance will collaborate to complete semiannual reports. The director of sports performance has the ultimate responsibility to review reports for accuracy and complete the narrative for the annual USOC report.
- The USOC report will be reviewed and signed by the executive director.

### **Other Grants**

Accounting for grants from sources other than the USOC shall be in accordance with the requirements of the grant provider.

- Grants will have separate budgets and/or be accounted for with the accounting system dimensions that can be isolated to the funded activity.

## **Expense and Accounts Payable**

### **Payroll**

The employees of USA Fencing pay will commensurate with position duties, experience and specific skills sets as determined by the human resources manager and executive director. All employees are paid on a bi-weekly basis. Regular full time exempt employees are paid through the end of each pay period. Non-exempt employees are paid one week in arrears.

- Salary must be authorized by the director of finance, executive director and should be documented by an offer letter or salary increase form. Acceptance of the offer, the signed offer letter, should be kept in the employees personnel file. All merit increase forms should be signed by the employee's direct supervisor, director of finance or executive director and human resources manager.
- The finance manager assembles time cards, time off requests and personnel data changes.
- The data is entered online to an outside payroll service for processing. The payroll reports are available online after processing from the outside payroll service. Final approval of payroll will be completed by the director of finance or executive director.
- Most employees are paid by direct deposit; however any physical checks and hard copy earnings statements are shipped to the national office overnight by the payroll service. All payroll information (direct deposit or checks) is available to each employee online. Employees have the option of receiving a hard or electronic copy of their earnings statement.
- The finance department prepares a journal entry of the payroll transactions.
- Employees must submit any changes to withholding to the payroll processing company by entering the changes in the manner specified by that company or by working through the finance department.
- The executive director, director of finance and human resources manager are responsible for choosing a payroll processing company (PEO). If such a company is not utilized, the finance department will be responsible for the following activities:
  - Issuing payroll checks
  - Setting aside into accounts payable the sums withheld for such items as FICA and federal and state withholding taxes.
  - Paying federal and state government the amounts due as noted in the accounts payable dependent on the reporting requirements (weekly, monthly or quarterly)
  - Keeping payroll records for each employee showing the total earnings, amounts withheld and the amount of withholding paid to government agencies.



- In January, issuing IRS Form W-2 for each employee to keep with payroll files.
- Payroll advances are not provided for any employee.
- Loans to employees and volunteers are prohibited.
- All employee compensation is to be paid through payroll, with the proper taxes withheld and remitted.

### **Timesheet Preparation & Approval**

- All non-exempt and part time employees must complete timesheets by the Friday preceding the week of payroll.
- The employee's direct supervisor, department director or director of finance approves the timesheet.

### **Pay Upon Termination**

- When an employee leaves employment due to voluntary or involuntary circumstances the final payroll is provided by check or direct deposit for days worked and accumulated vacation. If vacation was taken in excess of amount earned this amount will be a reduction from the final payroll.
- PEO Company will work with the finance department to process the final payment.
- Access to all accounting systems, membership databases, website, email and other platforms will be removed no later than the end of the work day on the final day of employment.
- Notification of available coverage with COBRA will be provided by the PEO along with additional notifications. The notifications will be documented by the PEO.

### **Purchase & Procurement**

Any expenditure in excess of \$5,000 for the purchase of a single item or service should have bids from three (3) suppliers if possible. These bids will be reviewed by the department director and director of finance.

### **Purchase Orders**

Purchase requisitions (PRs) and purchase orders (POs) are used for purchases that will be invoiced to ensure purchases are reviewed, approved and in line with budget prior to making financial commitment.

- Purchase requests (PR) are entered electronically in the accounting system. The staff person will enter the PR data including the vendor name, cost per item, total cost including taxes and shipping, accounting dimensions, description of goods or services and attach all documentation electronically pertaining to the estimated costs and comparative bids received.

- While the vendor with the lowest bid will general be the most desirable, other factors such as the reputation of the vendor, financial history of the vendor and the vendor's relationship with USA Fencing should also be considered.
- Attachments should be saved to the company shared folders in the folder designated by the finance department.
- The PR is then routed by the accounting system to the department director and then director of finance approval. If PR is entered by the department director, it will be routed directly to the director of finance.
- If approved the PR will be converted into a PO. POs will be converted to an invoice once the invoice has been received.
- The staff entering the PR will receive an email notification from the accounting system notifying them of approval or denial.
- If PR is denied comments from the director should be addressed and a new PR should be submitted prior to moving forward with the purchase.

### **Independent Contractors**

USA Fencing periodically hires non-employee personnel to perform work as independent contractors. These contractors will be paid. In accordance with the agreement between themselves and USA Fencing.

- All contractors must pass the 20-factor test used by the IRS to be considered for employment by USA Fencing as a contractor.
- All independent contractor agreements should be documented in writing and a copy of those agreements maintained by USA Fencing in the finance department.
- All independent contractors must submit an IRA form W-9 before any payments are made. All W-9's will be retained for all individuals receiving payments, other than reimbursements and per diem. W-9's do not expire.
- Certificates of insurance should be obtained from all independent contractors that are not USA Fencing members and thus not covered by the USA Fencing secondary insurance.
- Contractors will receive a form 1099 if they were paid \$600 or more in the calendar year. See Tax Compliance, Form 1099.
- For contractors that are eligible for expense reimbursement the following applies:
  - Expense reports and reimbursement requests are forwarded to the appropriate department director for review and approval.
  - An email is sent to the submitter, confirming receipt of the item, with a scanned copy of the approved form attached. The appropriate department director, as well as the finance department will be copied on all communications.
  - The approved documents are then submitted to the finance department for entry into the accounting system.
  - Eligible expenses and per diem rates are listed on the USA Fencing website.

- Requests submitted more than **21 days** after the date the expenses were incurred will not be paid. The director of finance may take into consideration extenuating circumstances and extend this deadline.

### **Invoice Approval & Processing**

#### **Invoice**

All invoices must be approved by the director or senior manager of the department for which the expense was incurred. Approved invoices will be paid within 30 days of receipt.

- Invoices for administrative services are date stamped and forwarded by paper or electronically to the finance department for approval. The director of finance will be notified immediately of any unexpected or unauthorized expenses.
- Non-administrative vendor invoices are date stamped and forwarded to the appropriate director for approval. If the invoice is in line with a previously approved purchase requisite, the invoice will be forwarded to the finance department for entry. If the invoice is not connected to a purchase requisite or has a variance from the approved purchase requisite, a new purchase requisite must be entered for the difference in the invoiced amount with the invoice attached.
- Paper copies of invoices can be shredded after 30 days.

#### **Cash Disbursement**

To ensure accounts are kept in good status and bills are paid bi-weekly.

- The director of finance or designee will pull the vendor aging report from the accounting system and select the bills to be paid. Each bill will be reviewed to ensure proper accounts, accounting dimensions, amounts and all supporting documentation is attached.
- Bills approved for payment will be marked on the vendor aging report and provided to the check signer and finance manager or designee to cut checks.
- Check signers should ensure that the related invoice has been either marked for payment or approved for payment by email as supporting documentation is electronically maintained and not accompanying the check. If in doubt the check signer should log into the accounting system to ensure that supporting documentation supports payment.
- Checks are not returned to the check preparer and are immediately mailed.
- It is not permissible that any member of the finance department be an authorized signer on any account.
- For check payments in excess of \$5,000 two authorized check signer's signatures are required.
- All pre-printed blank checks are to be secured in a locked cabinet.

## **Check Requests**

Check requests are used for disbursements that will not have an invoice.

- The requestor will complete a check request and forward it to the appropriate department director for approval. Once approved the request is submitted to the finance department. The request should include documentation of the expense.
- Check requests should be submitted at least one week prior to the day that the check is needed.
- The finance department will review for completeness and accuracy and enters the request into the accounting system. The check request is then input into the active A/P file.

## **Wire Requests**

In some instances it may be necessary to wire funds.

- Outgoing wire transfers must be documented on a wire request form or by email.
- Wire requests should be submitted at least one week prior to the day that the wire is needed.
- Wire transfers are performed online and require two parties to process. Wire transfers are initiated by the finance department and released by the director of finance or executive director. Upon completion the wire transfer is recorded in the accounting system and the transaction confirmation is sent to the requestor.

## **Cash Expense Advances**

Due to the nature of USA Fencing's business, it is often necessary to furnish funds in advance of their use. In some cases, trip to major competitions often require staff members to have funds available in the local currency, to pay entry fees or to cover unexpected contingencies.

- Where there is a need for such an advance the staff member in need of the advance will submit a request for the funds to the finance department.
- Cash advance requests should be submitted at least one week prior to the day that the funds are needed.
- Foreign currency requests will be sent to the bank by email. The bank representative will order the currency and send an invoice showing the amount owed for the order. Once the currency is received by the bank, a check made out to the bank, will be cut and the requestor will go to the bank to pick up the currency.
- A check in the amount of US currency requested will be made out to the staff member making the request. The staff member will cash the check at the USA Fencing bank.
- The person receiving the advance has the responsibility of accounting fully for the use of these funds, as well as to return any unused portion.

- The staff member must submit an expense report as outlined above, and account for all funds. Original receipts and adequate documentation are required for all advanced funds.
- All unspent funds must be returned to USA Fencing with the original expense report.
- Failure to adhere to these procedures will result in disciplinary action. Disciplinary action may include, among other things, verbal and/or written warning, suspension of employment without pay or termination of employment. Funds not paid back to USA Fencing will be deducted from the staff member's income from future paychecks. Non-employee members will receive a 1099-MISC subject to federal and state taxes.

### **Rebate of Share Dues to Division and Clubs**

Rebate checks will only be issued to those divisions that have filed the required financial reports and division report indicating current officers.

- The amount of rebate will be determined annually with the budget approval. Divisions earn \$3 per eligible member in their division per fiscal year.
- Divisions are eligible to receive rebates for the current fiscal year when required reports have been received.
- Divisions that have met the requirements will receive payment from USA Fencing twice per year.
- Rebates will not be paid and amounts reserved for that purpose will be returned to USA Fencing's general funds if reports are not received in the current year from the end of the quarter.

### **Petty Cash**

USA Fencing does not keep petty cash in the office. All funds received should be deposited per the instructions above.

### **Employee Expense Reimbursement**

Employees are eligible to receive reimbursement for expenses incurred while on USA Fencing business.

- Reimbursable business expenses for employees include food, mileage baggage fees, ground transportation and lodging while on company approved business travel. Mileage will be reimbursed at the current IRS rate.
- Employee expense for alcohol is not reimbursable.
- Employees are not eligible to receive per diem.
- Expense reports are to be submitted with detailed receipts attached.
- Employee reimbursement forms must be approved by their direct supervisor and finance department. The executive director's reimbursement forms should be reviewed monthly by the treasurer.

- Reimbursement forms and receipts need to be turned into the finance department within seven (7) days of the date of purchase or return from travel.

### **Expense Reimbursement Policy for Board and Board President**

#### **Board of directors Expense Reimbursement Policy:**

Who: USA Fencing's current board of directors

USA Fencing business travel, other than board meetings, must be approved by the treasurer\* prior to scheduling.

Meals: Meals will be provided by USA Fencing. Meals not provided by USA Fencing will be reimbursed with valid receipts \$8/\$12/\$20 for breakfast, lunch and dinner respectively. USA Fencing does not reimburse for alcoholic beverages.

Entertainment: All entertainment must be approved by the treasurer\* prior to the occasion. If approved, all expenses must be accompanied with receipts and must include description of the business purpose and individuals present.

Airfare: Travel should be arranged and purchased by the USA Fencing National Office. USA Fencing will cover only coach or economy class fares for official USA Fencing business travel. If travel start and end locations are anywhere but at the nearest home residence airport only the cost of the travel from the nearest home residence airport to the event location will be covered, unless prior approval is obtained from the treasurer\*. Flights must be booked at least 3 weeks prior to travel, unless circumstances do not allow. Higher flight costs due to not booking in time will not be covered. Travel certificates may be used at USA Fencing's discretion. USA Fencing does not reimburse for flight cost when frequent flyer rewards are used. For international air travel, there is an allowed variance of \$150 from the cheapest airfare available to take into account airline status, bag fees etc. For domestic air travel there is an allowed variance of \$50 from the cheapest airfare available to take into account airline status, bag fees etc.

Baggage Fees: Baggage fees will be reimbursed upon submission of receipts. Max of one bag each way.

Hotel: Hotel arrangements will be coordinated and paid directly by USA Fencing for all USA Fencing organized events. For all other USA Fencing business travel hotel costs will be covered for standard room accommodations only. Directors must obtain approval prior to USA Fencing business travel. Submission of receipts are required.

Ground Transportation and Parking: Travel by personal vehicle will be reimbursed at the published IRS standard business mileage rate in effect on August 1 of the current fiscal year. Only one person per vehicle will be reimbursed. Mileage will be confirmed using an internet source with a 50 mile tolerance. Mileage reimbursement will be limited to the lesser of the cost

of one airfare to the destination city or \$400. Google or Mapquest must be submitted with this expense form to receive mileage. If director has driven, parking at the USA Fencing designated hotel will be covered only for the days related to the USA Fencing business. USA Fencing will reimburse reasonably priced public transportation costs for travel between home and airport/airport to home. Alternatively, in no case will reimbursement for both parking and public transportation be paid on the same trip. Directors must use free shuttle service between airport/hotel/venue when provided. If free shuttle service is not available, reasonably priced public transportation for travel between airport/hotel/venue will be reimburse with valid receipts. Reimbursement will be made for reasonably priced (long term) parking for a period not to exceed service days plus travel days. Car rental will not be reimbursed without prior written approval from the treasurer\*. When rental car use is approved only gas will be reimbursed with the submission of receipts.

Expenses not mentioned above such as phone charges, conferences, continuing education, internet, clothing will not be reimbursed.

\*Treasurer's USA Fencing business travel and entertainment must be approved by the board president.

#### **President's Expense Reimbursement Policy:**

Who: USA Fencing's current President

USA Fencing Business travel, other than Board Meetings, must be approved by the Treasurer prior to scheduling.

Per Diem: A per diem of \$100 will be provided per day in which the President is away on official business. For USA Fencing business that is less than a full day a \$50 per diem will be provided.

**When per diem is received no additional expenses will be covered for meals, alcohol, local transportation, parking or miscellaneous expenses.**

Entertainment: All entertainment of non-Board members, such as dining, must either be covered by the per diem amount or approved by the Treasurer prior to the occasion. If approved all expenses must be accompanied with receipts and must include business purpose description and individuals present.

Airfare: **Travel should be arranged and purchased by the USA Fencing National Office.** USA Fencing will cover only economy class fares for official USA Fencing business travel. If travel start and end locations are anywhere but at the nearest home residence airport only the cost of the travel from the nearest home residence airport to the event location will be covered, unless prior approval is obtained from the Treasurer. Flights must be booked at least 3 weeks prior to travel, unless circumstances do not allow. Higher flight costs due to not booking in time will not be covered. Travel certificates may be used at USA Fencing's discretion. USA Fencing does not reimburse for flight cost when frequent flyer rewards are used. For international air travel, there is an allowed variance of \$150 round trip from the cheapest airfare available to take into

account airline status, bag fees etc. For domestic air travel, there is an allowed variance of \$50 round trip from the cheapest airfare available to take into account airline status, bag fees etc.

**Baggage Fees:** Baggage fees will be reimbursed upon submission of receipts. Max of one checked bag and one carry on each way.

**Hotel:** Hotel arrangements will be coordinated and paid directly by USA Fencing for all USA Fencing organized events. For all other USA Fencing business travel hotel costs will be covered for standard room accommodations only.

**Ground Transportation and Parking:** Travel by personal vehicle will be reimbursed at the published IRS standard business mileage rate in effect on August 1 of the current fiscal year. Only one person per vehicle will be reimbursed. Mileage reimbursement will be limited to the lesser of the cost of one airfare to the destination city or \$400. Google or MapQuest must be submitted with this Expense Form to receive mileage. If director has driven, parking at the USA Fencing designated hotel of the will be covered only for the days related to the USA Fencing Business. USA Fencing will reimburse reasonably priced public transportation costs for travel between home and airport/airport to home. In no case will reimbursement for both parking and public transportation be paid on the same trip segment. Directors must use free shuttle service between airport/hotel/venue when provided. If free shuttle service is not available, reasonably priced public transportation for travel between airport/hotel/venue will be reimbursed with valid receipts. Reimbursement will be made for reasonably priced (long term) airport parking for a period not to exceed service days plus travel days. Mileage to and from the airport will be reimbursed with Google or MapQuest verification. Car rental will not be reimbursed without prior written approval from the Treasurer. When rental car use is approved gas will be reimbursed with submission of receipts.

Expenses not mentioned above such as phone charges, conferences, continuing education, internet, clothing will not be reimbursed.

### **Credit Cards**

USA Fencing ("Company") will issue company credit cards to certain employees for use in their jobs. This policy sets out the acceptable and unacceptable uses of such credit cards.

- The director of finance and the treasurer have the authority to adjust the available line of credit with credit card companies to meet the needs of the organization.
- Use of company issued credit cards is a privilege that the company may withdraw at any time, with or without cause. Upon an employee's termination of employment at the company, all cards must be returned to the Company's finance department.
- The employee in possession of the company credit card is solely responsible for all purchases on the card and for ensuring that the card is not used by unauthorized



personnel. Card numbers may not be distributed and should not be saved in online accounts.

- Any credit card USA Fencing issues to an employee must be used for business purposes only, and for purposes in conjunction with the employee's job duties. Employees with such credit cards shall not use them for any non-business purpose. Non-business purchases are considered any purchases that are not for the benefit of the company.
- Business related expenses, such as food, baggage fees, ground transportation and lodging while on company approved business travel, may be purchased on the company credit card as long as these purchases are consistent with the company's travel and expense reimbursement policy. No alcoholic beverages may be purchased with the Company credit card unless approved by the director of finance or executive director.
- Any purchases other than airfare and hotel accommodations in the amount of \$500 or above must be approved prior to purchase. The employee must submit the purchase request in writing to their immediate supervisor or director of finance and receive approval in writing before making the purchase. The employee should attach a copy of the purchase approval to the receipt and submit them together when submitting the receipt to the finance department.
- The employee in possession of the credit card is responsible for receiving, printing and retaining all receipts related to purchases made on the company credit card. If a receipt is lost, a "No receipt explanation form" must be maintained and submitted in the same manner in which a receipt would be maintained and submitted.
- Receipts, need to be coded and submitted via the Visa IntelliLink system within 14 days of the date of purchase, return from travel and within 7 days of the end of the statement period. All receipts should be labeled with a description of what the purchase was for to ensure proper accounting of the purchase. Meals or entertainment purchases must indicate the names of all persons attending the meal or entertainment and the business purpose of such event.
- If any employee uses a company credit card for a personal purchase in violation of this policy, the cost of such purchases(s) must be repaid to USA Fencing as soon as possible. If the cost of such purchase(s) is not repaid to USA Fencing within one week after purchase, this will be considered an advance of future wages payable to that employee, and will be deducted from subsequent paychecks until the wage advance is fully repaid. These deductions may take the employee's wages below minimum wage for the pay period(s) in question.
- If any employee uses a company credit card for a non-personal purchase that is not within the scope of the employee's duties or the employee's authorization to make business related purchases, the cost of such purchases will be the financial responsibility of that employee unless otherwise expressed in writing by the executive director. The employee will be expected to reimburse the company via deductions from pay until the

unauthorized amount is fully repaid. These deductions will at no time take the employee's wages below minimum wage.

- In addition to financial responsibility and liability for wage deductions, any purchases an employee makes with a company credit card in violation of this policy will result in disciplinary action, up to and including termination of employment.
- The policy will remain in effect as long as the employee has a company credit card or until a new policy has been issued and which clearly indicates that it is intended to be a replacement of this policy.
- Credit card rewards points earned on credit cards paid by USA Fencing, including airline miles and gift cards, will be used at the executive director's discretion.

### **Expense Allocations**

Certain costs are allocated across multiple accounts, departments, locations or projects.

- Costs that can be directly allocated to the accounts, departments, locations or projects will be recorded as such.
- Costs that cannot be directly allocated to an account, department, location or project will be allocated by the discretion of the department and finance directors.
- Allocations should be reviewed annually during the budgeting process and adjustments made and documented as needed.

### **Asset Management**

#### **Responsibility**

While the ultimate responsibility rests with the board of directors, the day to day maintenance of funds is the responsibility of the director of finance.

### **Cash Management and Investments**

#### **Bank Account**

- With the approval of the executive director, the director of finance shall open and supervise such bank accounts as are needed for the transaction of business.
- The executive director, director of finance, finance manager and treasurer should all have online access to allow for proper oversight.
- The number of accounts shall be kept to a minimum, but no account or institution balance should exceed the federally insured maximum.
- Wherever appropriate, the accounts shall be interest bearing. The finance department is responsible for reconciling the monthly statements.
- The director of finance or the executive director are responsible for reviewing all monthly account reconciliations.

## **Investments and Cash Management**

- When the cash position in the bank permits, the executive director or director of finance shall place such funds in a reasonably liquid and safe interest bearing money market or certificated instruments.
- No loan shall be contracted by USA Fencing, not any of its assets pledged as collateral for any indebtedness, and no evidence of indebtedness or security instrument shall be issued, endorsed or accepted in the name of USA Fencing unless the same has been authorized by the board of directors or a committee designated by the board of directors to so act.
- Such authority may be general or confined to specific instances or amounts. The officer, officers, employee or employees upon whom such authority has been conferred may, within the scope of that authority, effect loans at any time from any bank or other entity, and for such loans may execute and deliver promissory notes and other evidences of indebtedness of USA Fencing; to the extent authorized, may mortgage, pledge or otherwise encumber any real or personal property, or any interest therein, owned or held by USA Fencing as security for the payment of any and all USA Fencing loans (and obligations incident thereof); and to these ends may execute and deliver such instruments as may be necessary or proper.

## **Capital Equipment**

### **Fixed Assets**

Unless otherwise provided by IRS regulation, all assets with a useful life greater than one year and a cost greater than \$2,000 shall be recorded as fixed assets. The useful life of each asset will be assigned on a case-by-case basis, but in general, the following schedule should be followed:

Furniture and fixture – 5 years

Computers and electronic equipment – 3 years

All other assets – 5-7 years

- The director of finance is responsible for managing the schedule of capital assets and assigns numbered tags to assets when feasible.
- All fixed assets will be physically inventoried annually and a depreciation schedule reconciled with the balance sheet.
- In some cases assets that are individually less than \$2,000 but purchased in multiple quantities can be classified as assets.
- At minimum an annual adjustment to record depreciation expense will be made to the financial statements at year-end.
- A straight line method of depreciation is used.

## **Inventory Control**

Inventory (t-shirts, warm ups, etc.) will be stored in a secure location.

- The finance coordinator is responsible for maintaining an updated count of all inventory.
- An inventory use form must be completed and provided to the finance coordinator when items are removed.
- Inventory items are expensed at purchase and not recorded as an asset on the balance sheet unless the estimated value exceeds \$10,000.

### **Employee Retirement Accounts**

USA Fencing provides retirement saving options to full time employees. The employee directs their investment selection as well as the amount of their retirement contributions, only restricted by the IRS determined annual limits. See employee handbook for details.

- All retirement contribution elections will be made by the employee through the payroll company.
- The payroll company is responsible for depositing the employee and employer retirement contributions to the investment company in a timely manner and never to exceed 10 days after funds were withheld from the employee.

### **Operating Reserve**

The purpose of the operating reserves policy for USA Fencing is to ensure the stability of the mission, programs, employment and ongoing operations of the organization. The operating reserve is intended to provide an internal source of funds for situations such as sudden increase in expenses, one-time unbudgeted expenses, and unanticipated loss in funding or uninsured losses.

Operating reserves are not intended to replace a permanent loss of funds or eliminate an ongoing budget gap. It is the intention of USA Fencing that the operating reserves have an established range which will be replenished in the next budget cycle when used. The operating reserve policy will be implemented in concert with the other governance and financial policies of USA Fencing and is intended to support the goals and strategies contained in these related policies and in strategic and operational plans.

### **Definitions and Goals**

The operating reserve fund is defined as the designated fund set aside by action of the board of directors. The minimum amount to be designated as operating reserve will be established in an amount sufficient to maintain ongoing operations and programs for a set period of time, measured in months. The operating reserve serves a dynamic role and will be reviewed and adjusted to internal and external changes.

The initial target minimum operating reserve fund is equal to three months of average operating costs (25% of budgeted annual operating expenses).

The amount of the operating reserve fund target minimum will be calculated and an optimal schedule for meeting this target will be created and adopted by the budget committee. Each year the operating reserve fund target minimum will be reviewed in conjunction with the approval of the annual budget, reported to the finance committee/board of directors and included in the regular financial reports.

### **Accounting for Reserves**

The operating reserve fund will be recorded in the financial records as board designated operating reserve.

The fund will be funded by and available in cash or marketable securities. Operating reserves will be maintained in an account with the United States Olympic Endowment, in accordance with investment policies.

### **Funding of Reserves**

The operating reserves fund will be funded with surplus unrestricted operating funds. The board of directors may from time to time direct that a specific source of revenue be set aside for operating reserves. Examples may include one-time gifts or bequests, special grants or special appeals.

### **Use of Reserves**

Use of the operating reserve requires three steps:

1. Identification of appropriate use of reserve funds.  
The executive director and staff will identify the need for access to reserve funds and confirm that the use is consistent with the purpose of the reserves as described in this policy. This step requires analysis of the reason for the shortfall, the availability of any other source of funds and evaluation of the time period that the funds will be required and replenished.
2. Authority to use operating reserves.  
Authority for use of operating reserve is delegated to the executive director in consultation with the treasurer. The use of operating reserves will be reported to the board of directors at their next scheduled meeting, accompanied by a description of the analysis and determination of the use of funds and plans for replenishment to restore the operating reserve fund to the level it was at before the use. The executive director must receive prior approval from the board of directors to take funds from the reserve if the replenishment will take longer than 12 months.
3. Reporting and monitoring

The executive director is responsible for ensuring that the operating reserve fund is maintained and used only as described in this policy. Upon approval for the use of operating reserve funds, the executive director will maintain records of the use of funds and plan for replenishment. He/she will provide regular reports to the budget committee/board of directors of progress to restore the fund to the target minimum amount.

### **Review of Policy**

This policy will be reviewed annually, by the budget committee, or sooner if warranted by internal or external events or changes. Any changes to the policy will be recommended by the budget committee to the board of directors.

### **Operation Processes and Procedures**

#### **Lists & Labels**

Fees for list and label generation will be set by the national office or, in special situations, by the board of directors (e.g. for elections).

#### **Problem Files**

Occasionally membership forms are submitted without proper payment. These problem applications are to be dealt with on the day the problem is discovered.

If there is an issue with an individual or group applications, the applicant is contacted via email explaining the problem. The application is placed in a problem file at the front desk. The problem file is kept in a locked cabinet to maintain the security of the payment information. The problem file is reviewed weekly for resolution or further contact via phone or email.

#### **National Events**

Occasionally tournament entry forms are submitted without proper payment. These problem applications are to be dealt with on the day the problem is discovered.

All entry forms are to be processed regardless of payment issues. Improper payment will be noted in the tournament database and the athlete will pay at check in at the tournament. Tournament files are downloaded and an accounting sheet is made prior to the tournament. The national events personnel will take this information to the tournament. All entrants who have not resolved their payment issues prior to the tournament will do so before they are allowed to compete. The national events personnel will forward all payments received to the finance department with a reconciliation accounting sheet upon return.

#### **Fencing Magazine**

American Fencing Magazine and electronic communications are journals of record of USA Fencing. However, the board of directors has established that the magazine is at the same time an independent medium in regard to its general and editorial content.

- The editor is responsible for, and has the sole authority over, the content of the magazine outside of announcements and reports required as a journal of record.
- The editor may alter or reject an ad for content or graphics but may not reject an advertiser. The editor must consult with the executive director or his designee and the advertiser before altering or rejecting an ad and must also make every effort to arrive at an amicable agreement.
- The editor is responsible for producing four quarterly issues of the magazine annually. These issues may be a combination of print and digital.
- The national office is responsible for soliciting advertising for the magazine, and may engage a marketing firm to assist, always with the proviso that the editor has final approval over ad content and graphics.
- The national office has the sole authority and responsibility to bill advertisers, collect payments, pay printing and postage costs and perform the general accounting for the magazine's operation. In the case of in-kind or sponsor ads, the office will credit the magazine revenue account with the appropriate cost of the ad placement.
- The national office has the authority to solicit advertisers of its choosing and to promise a certain size ad. It must be sensitive, however, to the concerns of the editor regarding the addition of extra pages or the elimination or previously planned articles. The editor on the other hand must make every effort to accommodate the office and the advertisers regarding the ad size, content, graphics and placement.
- In regard to publication dates of the magazine, the national office is responsible for submitting reports, announcements and other written materials to the editor by the announced deadlines.

## **Recordkeeping**

Complete and detailed records will be maintained of all financial transactions as well as select national event documentation. Records will be retained in a secured location until the period which the document must be maintained has expired. The guidelines in the tables below indicate the number of years a record is to be kept after the close of the fiscal year in which the transaction took place.

- Paper documentation for any fiscal year financial transactions should be maintained and secured in office filing cabinets until both the annual and USOC audits are complete.
- Once the audits are complete, paper documentation should be boxed and stored in a secure location. Boxes of records for storage are to be clearly marked as to their

contents. Permanent records shall not be boxed with non-permanent records, and each box of non-permanent records is to have a destroy date indicated.

- Electronic documents should be kept on the company shared drive or alternative secured drive that is maintained and backed up until the required period has expired.

<b><u>Permanent Records</u></b>		<b><u>Location</u></b>		
<b><u>Item</u></b>		<b><u>Current</u></b>	<b><u>1<sup>st</sup> Year</u></b>	<b><u>Remaining</u></b>
Articles of Incorporation		Office	Office	Office
Bylaws and Minutes		Office	Office	Office
Licenses, Franchise Agreements and Deeds		Office	Office	Archive
IRS exemption determination letter		Office	Office	Archive
State tax exemptions		Office	Office	Archive
Tax Returns		Office	Office	Archive
Audited Financial Statements	Office	Office	Office	Archive
Insurance records, current accident reports, claims, policies, and so on (active and expired)		Office	Office	Archive
Litigation (all documentation and communication)		Office	Office	Archive
Disciplinary Matters (complaints, panels Etc)		Office	Office	Archive
Trademark registrations and copyrights		Office	Office	Archive
Important checks (tax/property/etc.)	Office	Office	Office	Office
Fixed assets and depreciation records		Office	Office	Archive
Magazines (digital and/or print copies)		Office	Office	Archive
Tournament results (top 32)		Office	Office	Digital
Disciplinary Issues		Office	Office	Digital
<b><u>Non-Permanent Records</u></b>		<b><u>Location</u></b>		
<b><u>Item</u></b>	<b><u>Years</u></b>	<b><u>Current</u></b>	<b><u>1<sup>st</sup> Year</u></b>	<b><u>2<sup>nd</sup> &amp; 3<sup>rd</sup> Year</u></b>
Bank Statements	3	Office	Office	Archive
Deposit batch reports & duplicate slips	3	Office	Office	Archive
Journals	7	Office	Office	Archive
General Ledgers	7	Office	Office	Archive
Canceled checks	7	Office	Office	Office
Expense analyses/expense distribution schedules	7	Office	Office	Archive



Monthly financial reports and statements	7	Office	Office	Archive
End of the year financial statements	7	Office	Office	Archive
Audit report of accountants	7	Office	Office	Archive
Employment applications	3	Office	Office	Archive
Employee records (after termination)	7	Office	Office	Office
Payroll records (timesheets)	7	Office	Office	Archive
Payroll tax returns (W-2 & 1099)	7	Office	Office	Office
Contracts, mortgages, notes and leases (expired)	6	Office	Office	Archive
Service contracts and agreements (after termination)	7	Office	Office	Archive
Donor contributions (after donor restrictions are met)	7	Office	Office	Archive
Invoices and expense reports (after payment)	7	Office	Office	Archive
Accounts payable and receivable ledgers and schedules	7	Office	Office	Archive
Inventory counts and merchandise records	7	Office	Office	Office
Tournament Entry Forms	1	Office	Archive	Destroy
Tournament results (other than Top 32)	1	Office	Office	Destroy
Membership applications	3	Office	Office	Archive
Membership Lists	3	Office	Archive	Archive
Correspondence	2	Office	Archive	Destroy
Club memberships	3	Office	Office	Archive
Media records	3	Office	Office	Office

## Privacy Policy

### Collection, Storage and Use of Personal Data

Members of USA Fencing and any foreign athlete who has utilized the services of USA Fencing (fencers, and tournament officials, hereinafter referred to as the “licensees”):

I understand and freely acknowledge, as per included detailed explanations, that

- ⇒ my national federation, USA Fencing, all approved event organizers, WADA and all other authorized anti-doping organizations
- ⇒ may process, collect, store, use and delete my personal data

⇒ For the purpose of

- managing my affiliation as licensee with USA Fencing
- participating in fencing events and keeping and publishing my sporting history and biography
- implementing and complying with all anti-doping requirements and rules.

## **I. GENERAL PERSONAL DATA**

1. I HEREBY FULLY AND FREELY UNDERSTAND AND ACKNOWLEDGE that USA Fencing, the national fencing federation with which I am affiliated (“NF”) and any third parties contracted by USA Fencing, may collect, store, process, use and disclose to third parties any personal information including, but not limited to my name, date of birth, contact details and image as well as historical and statistical data related to my affiliation as licensee with USA Fencing, as well as to my participation, in any capacity, in any national and international fencing event (“events”) organized by my NF, by USA Fencing, by any NF member of USA Fencing or by any USA Fencing approved contractual partners (“event organizers”) (hereinafter referred to as the “personal data”), to the extent that such personal data are necessary or helpful to the management of my affiliation as licensee to USA Fencing, as well as to the organization of such event and to my participation thereto, and to the promotion of the sport of fencing by USA Fencing. USA Fencing may create and update my personal data in any other way in which I have provided or will provide my express consent or as may be required by law.

## **II. PERSONAL DATA RELATED TO ANTI-DOPING**

2. I confirm that I accept to be bound to all the provisions of the World Anti-Doping Code (WADC).

I **HEREBY UNDERSTAND AND ACKNOWLEDGE** that I am subject to the provisions of the WADC implemented by any anti-doping organization in charge of any anti-doping activities, in that they may, where applicable, in particular, collect, store and use:

- urine and blood samples to establish possible anti-doping rule violations,
- whereabouts information,
- any information and material necessary for the implementation of the biological passport,
- any information and material to conduct testing and perform results management, in order to determine whether the use of a prohibited substance or prohibited method is strictly limited to legitimate and documented therapeutic purposes,
- any information and material for the purpose of educating athletes and other persons of their rights and responsibilities,
- any information and material to conduct investigations into anti-doping rule violations and to initiate legal proceedings against those who are alleged to have committed such violations.

3. **I UNDERSTAND** that the term “anti-doping organizations” shall include, but not limited to, any signatory of the WADC that is responsible for adopting rules for initiating, implementing or enforcing any part of the doping control process. This includes, but is not limited to, the International Olympic Committee, the International Paralympic Committee, other major events organizations that conduct testing at their events, WADA, FIE and national fencing federations and national anti-doping agencies.
4. **I FURTHER UNDERSTAND AND ACKNOWLEDGE** that I am submitted to WADA International Standard for Protection of Privacy and Personal Information (hereinafter referred to as “WADA ISPPPI”) and I confirm that I am aware of the content of article 2.0 WADC ISPPPI relating to the confidentiality of personal information set forth in article 14.6 WADC which provides that:

*Anti-Doping Organizations may collect, store, process or disclose personal information relating to Athletes and other Persons where necessary and appropriate to conduct their anti-doping activities under the Code and International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information), and in compliance with applicable law.*

5. **I UNDERSTAND** that, under article 3.2 of the WADA ISPPPI, the notion of personal information includes “sensitive personal information” and is defined as follows:
- **Personal Information** including, but not limited to, athlete’s name, date of birth, contact details and sporting affiliations, whereabouts, designated therapeutic use exemptions (if any), anti-doping test results, results management (including disciplinary hearings, appeals and sanctions), personal details and contact information relating to other persons, such as medical professionals and other persons working with, treating or assisting an athlete in the context of anti-doping activities.
  - **Sensitive Personal Information** relating to athlete’s or other person’s racial or ethnic origin, commission of offenses (criminal or otherwise), health (including information derived from analyzing an athlete’s samples or specimens) and genetic information.
6. **I FURTHER UNDERSTAND AND CONSENT** that, pursuant to article 8.2 of the WADC ISPPPI, anti-doping organizations may disclose my personal information to other anti-doping organizations **where such disclosures are necessary to allow the anti-doping organizations receiving the personal information to fulfil obligations under the code and in accordance with applicable privacy and data protection laws.**
7. I am finally aware of the content of Annex A to the WADC ISPPPI regarding the **retention time** of my general personal information, but also including whereabouts, Therapeutic Use Exemption, testing, A and B samples, test results and results management (forms/documentation), disciplinary ruling (ADRV) and athlete biological passport (ABP).

**III. ACCESS / RECTIFICATION / DISCLOSURE / WITHDRAWAL OF CONSENT / ERASURE (RIGHT TO BE FORGOTTEN)**

8. I am aware that I can ask to have **ACCESS** to any of my personal data and that I am entitled to request their **RECTIFICATION** to correspond to the truth.
9. Besides, I have been duly informed and I understand that USA Fencing, national federations, the event organizers and the anti-doping organizations may **DISCLOSE** personal information to third parties where such disclosures (i) are required by law, sports regulations or compulsory legal process or by the implementation of a contract to which I am a party; or (b) is published on USA Fencing website as general and public sporting information (name, date of birth, nationality, sporting profile and biography; statistical data); or (c) are made to recipients located in countries ensuring an adequate level of protection; or (d) are necessary to assist law enforcement or governmental or other authorities in the detection, investigation or prosecution of a criminal offense, or breach of the WADC, provided that the personal information is reasonably relevant to the offense in question and cannot be otherwise reasonably obtained by the authorities.
10. I am aware that I am entitled to **OBJECT AND REFUSE** at any time the processing of my personal data as described above, by written and signed communication sent to my NF and to USA Fencing. I further understand that my participation in any fencing activity may, from time to time, depend on my consent that the above-mentioned personal data be processed for legitimate and regulatory purposes and, in particular, that my participation is contingent upon my voluntary compliance with anti-doping procedures set forth in the WADC. Accordingly, I am fully aware that in case of objection, refusal or opposition to the processing of my personal data, I **COULD NO LONGER BE ALLOWED TO PARTICIPATE** in a specific event or in any sporting international fencing activity.
11. I am also informed of my right to request that all my personal data collected by the NF, USA Fencing, any event organizer or by any anti-doping organization, **BE ERASED, notably if and when such personal information is no longer relevant to my NF, USA Fencing, event organizers, or any other anti-doping organizations**, respectively, for the purpose of the organization of any other competitions organized under the auspices of my NF, USA Fencing or any event organizer, or for the promotion of the sport, including for public or scientific interests, for historical research and statistical purposes.

#### IV. **LITIGATION**

I agree that any dispute, controversy or claim arising out of, or in connection with the above-referenced matters, and not resolved after the exhaustion of the legal remedies set forth by USA Fencing, my national federation, and/or the event organizer, any arbitration shall administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The arbitration shall be governed by the laws of the State of Colorado and the United States, and it shall be conducted in Colorado Springs, Colorado. The arbitrator(s) will have no authority or jurisdiction to award consequential, punitive or exemplary damages, and any demand for such damages shall be a nullity. Except as may be required by law or as reasonably required to enforce or appeal from an arbitration award or as noted above, arbitration proceedings shall be kept confidential, and neither a party,

an attorney for a party, a witness, nor an arbitrator may disclose the existence, content, or results of any arbitration hereunder to a non-party without the prior written consent of all parties.

This privacy policy is available on the USA Fencing website. Acceptance of this policy can be made electronically or in writing.

## Appendix E – Selina Kaing Bio

### **Selina Kaing**

Selina Kaing leads IT services and procurement related to hardware engineering globally. She joined Google as part of the strategic sourcing team handling the company's multi-billion dollar spend base and has worked extensively in operations and supply chain across a variety of Fortune 500 companies including Disney, Nestlé, Gillette (now part of P&G), and Express (formerly Limited Brands).

The daughter of Cambodian refugees who fled the "killing fields" of the Khmer Rouge, her family was resettled in the U.S. and found eventual success running a small business in California's nascent donut shop industry back in the 1980s. Profoundly influenced by her childhood experiences, Selina is passionate and committed to helping organizations across a variety of sectors scale and grow with an agile and entrepreneurial mindset. She is a startup growth advisor for operations strategy through her involvement with Google for Startups and CapitalG, and brings a wealth of leadership experience to diverse organizations focused on youth, diversity, and community enrichment.

She currently sits on the Board of Trustees for the U.S. Fencing Foundation and Palo Alto Art Center Foundation with prior board appointments at multiple nonprofit organizations and state commissions focused on service and the arts. She has held various committee leadership roles aimed at developing organizational strategy and growing philanthropic giving efforts. She also is an active veteran fencer.

Selina is a frequent guest lecturer and workshop facilitator on topics related to operations strategy, women and leadership, negotiations, and project management. Her thought leadership and research has been presented at academic conferences and university level operations courses. She holds a B.A. from Harvard University and M.B.A. from Oxford University

# IVAN JAMES LEE

219-14 121<sup>st</sup> Avenue Cambria Heights, NY 11411 · 347-451-1761

[leeivanj@gmail.com](mailto:leeivanj@gmail.com) · [Facebook/LinkedIn: Ivan Lee](#) · [Twitter/Instagram: @leeivanj](#)

## EDUCATION

JANUARY 2004

**BACHELOR OF SCIENCE**, ST. JOHN'S UNIVERSITY

B.S. Journalism, College of Professional Studies

## PROFESSIONAL EXPERIENCE

JULY 2008 – FEBRUARY 2022

**POLICE OFFICER**, NEW YORK CITY POLICE DEPARTMENT

NYS DCJS Physical Training and Defensive Tactics Instructor

NYS DCJS General Topics Instructor

NYS certified Emergency Medical Technician

AHA certified First Aid/CPR/AED/BLS Instructor Trainer

ISSA certified Specialist in Fitness Nutrition

NYPD Dignitary Protection Trained

NYPD Transit Decoy Trained

NYPD Counterterrorism Trained

2001 - PRESENT

**FENCER/REFEREE**, USA FENCING

2004 Olympic Team Member

2003 Pan American Games Sabre Champion

2001 Junior World Team Champion

8-time U.S. Individual National Sabre Champion

2-time NCAA Individual Sabre Champion

2014 USA Fencing Hall of Fame Inductee

USA Fencing certified Referee/Assigner/Instructor/Observer

USA Fencing Directoire Technique

MARCH 2019 – PRESENT

**HEAD COACH, MEN'S AND WOMEN'S FENCING**, LONG ISLAND UNIVERSITY

Primary Recruiter, Administrator, Operational Manager

AUGUST 2019 – PRESENT

**HEAD COACH, SABRE PROGRAM DIRECTOR**, LONG ISLAND FENCING CENTER

SEPTEMBER 2004 – JUNE 2006

**TEACHER**, PUBLIC SCHOOL 6, PATERSON, NJ

7<sup>th</sup>/8<sup>th</sup> grade Mathematics and Language Arts Teacher

SEPTEMBER 2002 – MAY 2019

**FENCING COMMISSIONER/REFEREE ASSIGNER,** PUBLIC SCHOOLS ATHLETIC LEAGUE

League Facilitator, Supervisor, Administrator

## **VOLUNTEER EXPERIENCE**

- Board of Trustees, Rosalyn Yalow Charter School, The Bronx, NY
- Board of Directors, New Horizons Ministries, Inc., New York, NY
- Board of Deacons and Administrators, Cambria Heights Gospel Chapel, Cambria Heights, NY
- Youth Ministry Committee, Cambria Heights Gospel Chapel, Cambria Heights, NY
- Ombuds Committee, Referee Commission, USA Fencing, Colorado Springs, CO
- Fencing Instructor, Peter Westbrook Foundation, New York, NY
- Selection Committee, USOC's F.L.A.M.E. Program (Finding Leaders Among Minorities Everywhere), Colorado Springs, CO
- College Coaches Committee, United States Fencing Coaches Association, Colorado Springs, CO



## Appendix G – Sam Cheris Bio

### **Samuel (Sam) Cheris.**

During almost 60 years in fencing, Sam contributions at all levels of the sport are unparalleled.

As USA Fencing President (1988-90), Sam oversaw the introduction of age group fencing and the junior/cadet national circuit. He instituted point systems for team selection and tournament seeding, direct athlete funding and diversity in cadre appointments.

As Treasurer (1986-48; 2012-16), he twice directed successful efforts to restore USA Fencing from near insolvency to a firm financial footing with strong credit and the reserve fund that is allowing the organization to survive the COVID19 disruption. His budget reforms continue to guide the organization. Three times he served as Vice-President, 1982-84, 2004-08, and 2016-present).

Sam organized the 1989 Senior World Championships and the 1993 Junior/Cadet World Championships, both on an emergency basis. Beyond refereeing foil and epee at World Cups from 1982 to 1996, he was FIE Chief of Protocol six times, at Junior/Cadet World Championships, Senior World Championships and Olympic Games, and as a member of four World Championship Directoire Techniques. He has supervised World Cup competitions for over thirty consecutive seasons

His international contributions resulted in election as an FIE Member of Honor (1998) and induction into FIE's Hall of Fame (2014). Those contributions include representing the U.S. at over 25 congresses and his tournament activities, but also his organizational work as a member, of the Executive Committee (1996-2004), the Publicity Commission (1989-92) and the Legal Commission (1996-present), where he has served as president for 16 years. Among his accomplishments in these roles are securing full U.S. team representation at the Atlanta Olympics; restructuring of World Cup championship and Olympic qualifying systems; expanding referee gender and nationality representation at World Cups, championships and Olympic games; promoting Americans in all aspects of FIE competitions and operations; and persuading the FIE to allow uniforms with the fencer's name and national colors. Under his leadership, the Legal Commission, modernized FIE's bylaws and administrative regulations and opened previously unavailable opportunities to persons of all genders, nationalities and ethnicities. He counts among his proudest FIE achievements authorship and securing the adoption of its 'SafeSport' Policy, adding English and Spanish as working languages and defending the World Cup system against efforts to advantage European athletes.

In the U.S., Sam organized the 1979 National Championships and America's first national age group competitions. He remains active on domestic bout committees, and worked as U.S. Chief of Mission at seven World Championships. While serving on the Sport Performance Resource Team (and its predecessor committees) he influenced and guided selection systems, created the Athlete Handbook and developed athlete funding programs.

Sam's career as a three-weapon referee began in 1968 and continues to this day. Appointed to the Fencing Official's Commission in 1980, he has served continuously since, most recently developing and overseeing the FOC's transition to the modern Referees' Commission and serving as its first Chair.

Sam is also Treasurer and a trustee of the U.S. Fencing Foundation, where he began the process of growing its fund, which makes annual grants to USA Fencing.



## **Appendix H – USFF Trustee Bios for Approval**

### **Selina Kaing (Re-Appointment)**

Selina Kaing leads IT services and procurement related to hardware engineering globally. She joined Google as part of the strategic sourcing team handling the company's multi-billion dollar spend base and has worked extensively in operations and supply chain across a variety of Fortune 500 companies including Disney, Nestlé, Gillette (now part of P&G), and Express (formerly Limited Brands).

The daughter of Cambodian refugees who fled the “killing fields” of the Khmer Rouge, her family was resettled in the U.S. and found eventual success running a small business in California's nascent donut shop industry back in the 1980s. Profoundly influenced by her childhood experiences, Selina is passionate and committed to helping organizations across a variety of sectors scale and grow with an agile and entrepreneurial mindset. She is a startup growth advisor for operations strategy through her involvement with Google for Startups and CapitalG, and brings a wealth of leadership experience to diverse organizations focused on youth, diversity, and community enrichment.

She currently sits on the Board of Trustees for the U.S. Fencing Foundation and Palo Alto Art Center Foundation with prior board appointments at multiple nonprofit organizations and state commissions focused on service and the arts. She has held various committee leadership roles aimed at developing organizational strategy and growing philanthropic giving efforts. She also is an active veteran fencer.

Selina is a frequent guest lecturer and workshop facilitator on topics related to operations strategy, women and leadership, negotiations, and project management. Her thought leadership and research has been presented at academic conferences and university level operations courses. She holds a B.A. from Harvard University and M.B.A. from Oxford University

### **Lianne Marchant (Re-Appointment)**

Lianne Merchant currently has her own capital raising business firm Cortlandt Partners Ltd., a real estate private equity firm, affiliated with Young America Capital. She developed her expertise in capital raising at Park Hill, previously owned by Blackstone. Prior to Park Hill, she was head of marketing and investor relations for iStar Financial, a structured finance company. She began her real estate career at GE's pension fund.

Merchant is a past president of the New Rochelle Board of Education and the New Rochelle Library. She is currently on the United States Fencing Foundation, the Historic Landmarks Review Board, and

the Westchester Children's Museum. Lianne was previously elected to the USA Fencing board in 2014 and served one term.

Her alumni service to Brown University includes the Women's Leadership Council (through 2021), the President's Leadership Council for Libraries (William Williams award), the BAA Board of Governors, leadership roles on the Inman Page Black Alumni Council and fundraising roles for her class and the Alumni of Color Initiative in the Boldly Brown campaign.

Merchant earned her Bachelor's degree from Brown University and her MBA Real Estate Finance and Finance from Columbia University.

Lianne and her husband, Gregory, live in New Rochelle, N.Y. and have two sons. Both are recruited saber fencers at UPenn where Julian graduated in 2019 and Marcel is a freshman.

#### Laura Johnson (New Appointment)

Dr. Johnson earned her bachelor's degree in chemistry from the University of Southern California, Los Angeles, and her medical degree from the University of Southern California Keck School of Medicine, Los Angeles. She completed her internship and residency at the Washington Hospital Center department of surgery in Washington, DC, followed by a fellowship at the Emory University School of Medicine department of surgery in Atlanta, Georgia. She is currently an associate professor at Emory, an adjunct associate professor at Uniformed Services University of the Health Sciences department of surgery, Washington, DC, and medical director, Walter L. Ingram Burn Center, Grady Memorial Hospital, Atlanta.

#### Jake Hoyle OLY (Athlete Rep Appointment).

A fencer since 6<sup>th</sup> grade in his hometown of Wallingford PA – in 2012, Hoyle walked on to the Columbia University fencing team. There, he went on to become a 2 time individual NCAA Champion. He also led Columbia to back-to-back national championships in the NCAA as captain before graduating with Bachelors degrees in Economics and Business Management. On the Fencing piste, Hoyle is a 2020 Olympian, World Championship team member and international medalist in Men's Epee. He represents his fellow Epee athletes on the USA Fencing AAC.

## Appendix I: Proposed USA Fencing Transgender + Non-Binary Policy

USA Fencing is committed to ensuring athletes have the opportunity to participate in USA Fencing sanctioned events on a fair, inclusive and safe basis without discrimination. Currently USA Fencing has two divisions – men's and women's – that default to using the gender binary to determine participation in each division (for youth players, the divisions are boys, girls). However, we recognize not all individuals' gender identities are binary, and a gender binary default for participation could potentially cause harm - leaving some individuals to feel excluded and unsafe. Within our divisions, USA Fencing will not discriminate on the basis of gender identity, regardless of sex assigned at birth, or any other form of gender expression for participation in any division. As such, athletes will be permitted to participate in USA Fencing sanctioned events in a manner consistent with their gender identity/ expression, regardless of the gender associated with the sex they were assigned at birth in accordance with the guidelines listed below.

### A. Registration and Participation for Athletes participating in domestic competitions

To participate in a USA Fencing sanctioned event, athletes are to register with USA Fencing as the gender in which they identify and wish to compete during registration/renewal. Please note, this selection will be logistically binding and athletes will not be permitted to modify their gender during the season. If the athlete registers as a gender other than their gender associated with the sex assigned at birth, they should adhere to the the following requirements:

#### **Youth athletes (Y10,Y12,Y14):**

- Transgender and non-binary athletes competing in youth events are permitted to compete in the gender category with which they identify, without restriction.
- Registration and/or other documents submitted on behalf of a minor must be submitted by, or with the express approval of, a parent or guardian.

#### **Cadet:**

- Transgender and non-binary athletes competing in youth events are permitted to compete in the gender category with which they identify.
- Registration and/or other documents submitted on behalf of a minor must be submitted by, or with the express approval of, a parent or guardian.
- Transgender Cadet athletes who qualify to compete in junior and/or senior competitions must adhere to the requirements for transgender athletes in those divisions (see below).

#### **Junior, Senior and Veteran athletes:** See requirements below for national ranking competitions

- **Transgender male (FTM) athletes:**
  - Athletes who **have** received a medical exception for treatment with testosterone for purposes of USA Fencing sanctioned competitions may compete in men's events team, and are no longer eligible to compete in women's events team.
  - Athletes who are not taking testosterone related to gender transition may participate in either men's or women's events. team.
- **Transgender female (MTF) athletes:**
  - Athletes being treated with testosterone suppression medication, for the purposes of USA Fencing sanctioned competitions may continue to compete in men's events, but may only compete in women's events after completing one

calendar year (12 months) of testosterone suppression treatment. Proof of compliant hormone therapy must be provided prior to competition.

- **Non-binary athletes:**

- Athletes are permitted to compete as the gender of which the athlete identified as at the time of registration. However, if an athlete wishes to compete as a gender opposite of the gender associated with the sex assigned at birth, they must adhere to the aforementioned guidelines for transgender athletes.

\*restriction based on scientific data provided by NCAA

- [https://13248aea-16f8-fc0a-cf26-a9339dd2a3f0.filesusr.com/ugd/2bc3fc\\_4a135824abc462183c71357c93a99b4.pdf](https://13248aea-16f8-fc0a-cf26-a9339dd2a3f0.filesusr.com/ugd/2bc3fc_4a135824abc462183c71357c93a99b4.pdf)
- <https://bjsm.bmj.com/content/55/11/577>

## **B. Registration and Participation for Athletes participating in International competitions**

Any athlete who qualifies for the International Fencing Federation (FIE) World Championship and/or any competitions hosted by the FIE, are to adhere to the compliance requirements set forth by the FIE Transgender Policy. Failure to adhere to FIE transgender policy guidelines impact the athlete's participation in international competition. **Refer to Section C.3(c)(i).**

\*For the most up-to-date international transgender policies, refer to the following sites: [International Olympic Committee](#)

## **C. USA Fencing Classification**

Transgender athletes will be permitted to keep the fencing classification that was held prior to transitioning. For example, a transgender woman who held an A classification in the men's division will keep her A classification in the women's division.

## **D. USA Fencing National Rankings (points)**

If an athlete changes their gender category, points earned under their previous gender category will be forfeited and not applied to the athlete's record.

## **E. National Championship Qualification**

Athletes who qualify for USA Fencing National Championships must compete in the National Championship event as the gender in which they qualified under.

## **F. Appeals**

All appeals are to be reported to the office of Diversity, Equity, Inclusion and Belonging for review.

## **G. Anti-Doping Requirements Remain Applicable**

In accordance with the FIE, it is the responsibility of the athlete to monitor testosterone level(s), and submit appropriate documentation to satisfy anti-doping policies.

If hormonal medications utilized for gender transition are listed on the World Anti-Doping Agency's Prohibited List USADA can grant a Therapeutic Use Exemption (TUE). The TUE application process is

thorough and designed to balance the need to provide athletes access to critical medication while protecting the rights of athletes to compete on a level playing field.

Further information regarding the TUE application process can be found at the link below”

TUE Application: <https://www.usada.org/athletes/testing/tue/>

**Report of Grievance:**

Abuse and/or harmful acts towards the transgender and non-binary community will not be tolerated. Any instances or grievances should be immediately reported to the USA Fencing Safe Sport coordinator and the Office of Diversity, Equity, Inclusion and Belonging. Complete the short online form, which can be found below.

<https://www.usafencing.org/fencesafe-report>

**\*Policy development governing the inclusion of transgender and non-binary athletes is an emerging endeavor. As new research on the participation of these athletes and the physiological effects of gender transition on athletic performance becomes available, policies are subject to re-evaluation and change to ensure they reflect the most current evidence-based information.\***

#### Other Option Considered but not recommended by Stakeholders:

USA Fencing is committed to ensuring athletes have the opportunity to participate in USA Fencing sanctioned events on a fair, inclusive and safe basis without discrimination. Currently USA Fencing has two divisions – men's and women's – that default to using the gender binary to determine participation in each division (for youth players, the divisions are boys', girls'). However, we recognize not all individuals' gender identities are binary, and a gender binary default for participation could potentially cause harm - leaving some individuals to feel excluded and unsafe. Within our divisions, USA Fencing will not discriminate on the basis of gender identity, regardless of sex assigned at birth, or any other form of gender expression for participation in any division. As such, athletes will be permitted to participate in USA Fencing sanctioned events in a manner consistent with their gender identity/ expression, regardless of the gender associated with the sex they were assigned at birth.

See below for resources that promote transgender, non-binary and gender nonconforming inclusion. We encourage you to review these resources to help foster an inclusive environment of your transgender and non-binary teammates, coaches, friends and community members.

Links:

- [Transgender Athlete Inclusion in sports](#) (Stack the Deck Against Hate & Athlete Ally)
- [Trans Rights are Human Rights](#) (Athlete Ally)
- [Gender Affirming and Inclusive Athletics Participation](#) (GLSEN)
- [Be an Ally - Support Trans Equality](#) (Human Rights Campaign)

#### A. Registration and Participation for Athletes participating in domestic competitions

To participate in a USA Fencing sanctioned event across levels (local, regional and national), athletes are to register with USA Fencing as the gender of which they identify as and feel most comfortable competing with. If the athlete wishes to register as a gender other than their gender associated with the sex assigned at birth, they should adhere to the the following requirements:

- **Transgender male (FTM) athletes:** No additional requirements
- **Transgender female (MTF) athletes :** Athletes (or their parents/legal guardians in the case of a minor) are to provide a sincere letter of attestation confirming their gender identity. This letter should be sent to membership at [information@usafencing.org](mailto:information@usafencing.org)
- **Non-binary athletes:** Are permitted to compete as the gender of which the athlete identified as at the time of registration.

**Commented [1]:** This gives more flexibility to those that are non-binary than it does to those that are MTF. Is that fair/consistent?

**Commented [2]:** This is for the completely inclusive option, which I imagine we will not propose.



**Stakeholders Consulted:**

USA Fencing DEIB Committee  
USA Fencing Sport Performance  
Team USA Athletes  
Mt. Sinai Hospital System  
Inclusion Playbook LLC.

**NCAA Policy:**

Those who transition from female to male are eligible to compete in the male category without restriction.

Those who transition from male to female are eligible to compete in the female category under the following conditions:

- 2.1. The athlete has declared that her gender identity is female. The declaration cannot be changed, for sporting purposes, for a minimum of four years.
- 2.2. The athlete must demonstrate that her total testosterone level in serum has been below 10nmol/L for at least 12 months prior to her first competition (with the requirement for any longer period to be based on a confidential case by case evaluation, considering whether or not 12 months is a sufficient length of time to minimize any advantage in women's competition).
- 2.3. The athlete's total testosterone level in serum must remain below 10nmol/L throughout the period of desired eligibility to compete in the female category.
- 2.4. Compliance with these conditions may be monitored by testing. In the event of non-compliance, the athlete's eligibility for female competition will be suspended for 12 months

**IOC Policy**

[IOC-Framework-Fairness-Inclusion-Non-discrimination-2021.pdf \(olympics.com\)](#)

**Other NGB and Sport Organization Policies**

[TRANSATHLETE US National Governing Bodies Transgender Policies](#)

## New: Objective 7:

### Position USA Fencing's Paralympic Program for Optimal Success in the 2024-28 Quad

**Overall Goal:** During the time period of 2021-2024, establish and build on a foundation that poses the Paralympic Program for medal contention in all medaling events at the 2028 LA Paralympics (A total of 12 events).

**Rationale:** As of 2022, the existing cadre that completes the Paralympic Program- Athletes, Coaches, Referees, and medical Classifiers, is small and has limited experience.

#### Initiatives

- **Recruit and systemically support athletes**
- **Engage and Educate Strong Coaches**
- **Recruit and Educate Quality Referees**
- **Focus Program Fundraising**
- **Implement a Program of Club Incentives and Clinics to Recruit Athletes, Coaches, and Referees**

#### Metrics

##### By 2024:

- Develop 10 qualified para fencing coaches
- Develop 10 national level para fencing referees
- Have at least 3 IWAS, international, certified referees
- Host a para fencing World Cup at least every other year
- Have one IWAS certified classifier in the US

##### By 2026:

- At least 4 "Category A" women and men actively competing internationally

##### By 2027:

- At least 2 "Category" B women and men actively competing internationally; and
- At least an additional 2 "Category A" and 1 "Category B" women and men actively competing at the national level or above
- Ensure mental health education and support options are included across all education platforms
- Yearly review of injury and other health/wellness issues with plan to reduce risks



## Objective 7: Position USA Fencing's Paralympic Program for Optimal Success in the 2024-28 Quad

Key Results / Outcomes	Progress & Metrics Summary
10 New Refs at the NAC Level (Estimate \$3,000)	- Host a <u>minimum</u> of 3 Ref Clinics
3 new IWAS Certified Refs (Estimate \$9,000)	- Having three refs certified with IWAS to be able to ref a para world cup.
10 New Coaches who can coach a Para Athlete (Estimate \$9,000)	-Based on either USFCA Para Specific Course Completion or Bringing an athlete to a NAC  -Host USFCA practical at 3 NACs
Host multiple IWAS World Cups (Estimate \$75,000 each)	-Once every two years (Zonal Championship)
1 US IWAS Classifier (Estimate \$5,000)	- Recruiting medical professionals, <i>recruiting internally</i> - Send 1 classifier for an IWAS world cup for test
Cultivation of 8 new independent para fencing programs (Estimate \$12,500*)	- Investment in 4 fencing frames for the lending program - Put on 4 demos across the country - Increase marketing of Para Fencing - Provide stipends for traveling staff

## Funding:

### **How much funding does the Para Fencing Program receive right now?**

Para Fencing receives 42% less funding than average Senior Squad (~\$129,000 compared to ~\$75,000).

Compared to the entire Senior program, Para receives 92% less funding (~\$72,000 compared to ~\$75,000).

### **How is the ~\$75,000 budget being used currently?**

Currently, the Para budget is used from grassroots to our international competing squads. Grassroots efforts includes demos, outreach, fundraising, development, and equipment.

The ~\$129,000 each abled bodied squad receives solely goes to their senior squad.

# Minutes

## Meeting of the USA Fencing Board of Directors

July 28, 2022

**Present:** Donald Alperstein, David Arias, Ben Bratton, Kat Holmes, Peter Burchard, Lauryn DeLuca, Nzingha Prescod, Abdel Salem

**Absent:** Alan Kidd, Cliff Bayer, Lauren Haynie, Lorrie Marcil Holmes

**Guests\*:** Peter Barton, Bryan Wendell,

### **I. Call to Order**

General Announcements

Remarks & Updates

Conflict of Interest announcement.

### **II. Consent Agenda Items (Mr. Arias)**

**Motion (Mr. Arias):** To approve the Minutes from the June 5, 2022 meeting

Second Mr. Salem

**Motion passed.**

### **III. Old Business**

### **IV. New Business**

**Motion (Mr. Arias):** To approve the proposed 2022-23 USA Fencing Operational Budget including the education supplement

**Motion to amend (Mr. Arias):** To approve the 2022-2023 USA Fencing Annual budget with addition of cost to establish and develop coaches training at a max amount of \$220,000.

**Amendment passed.**

Second Mr. Salem

**Motion passed.**

**Motion (Mr. Alperstein):** To create a Board taskforce to review applications for, and approve, members of Board committees and resource teams.

**Motion to amend (Mr. Arias):** To amend the proposed composition of the Task Force on Committees and Resource Teams and appoint the following members of the Board of Directors to the Task Force on Committees and Resource Teams, with the first person named below to serve as chair:

Selina Kaing  
Donald Alperstein  
Nzingha Prescod  
Peter Burchard  
Kat Holmes

And further to direct the Athlete Council and the CEO to designate their respective appointments not later than ten days after the adoption of this motion.

**Amendment passed.**

**Second: Ms. Lauryn DeLuca**

Second Ms. DeLuca

**Motion passed.**

## **V. Good and Welfare**

## **VI. Recess to Executive Session**

**Motion (Mr. Arias):** to recess to executive session.

Second Ms. DeLuca.  
Motion passed.

## **VII. Executive Session**

**Present:** David Arias, Abdel Salem, Donald Alperstein, Ben Bratton, Nzingha Prescod, Peter Burchard, Selina Kaing, Sam Cheris, Lauryn DeLuca

**Absent:** Alan Kidd, Cliff Bayer, Lauren Haynie, Lorrie Marcil Holmes

**Guests:** Peter Barton, Christina Pachuta, Suzie Riewald, Stephen Hess

The board received an update on two audits and two panels.

## **VIII. Recess**

**Motion (Mr. Arias):** to adjourn.

Second Mr. Alperstein.

No objection was heard.

Public Email Vote Minutes USA  
Fencing Board of Directors Via  
Email on September 16, 2022

The majority of the board approved, by email vote beginning on September 16, 2022, the following motions.  
Any abstentions or no votes are noted following the motions

**Motion 1 (Mr. Arias):** BE IT RESOLVED that Dan Graham is ineligible to become a member of USA Fencing and shall not be permitted to attend USA Fencing events pending further action of the Board of Directors, per the recommendation of the disciplinary panel.

**Three Abstentions**

**Motion 2 (Mr. Arias):** BE IT RESOLVED to sanction Boris Vaksman per the disciplinary panel's recommendations as put forward in writing to the USA Fencing Board of Directors.

**Two Abstentions.**



## **Appendix M – Specific A/R Process**

### **Revenue & Accounts Receivable**

#### **Invoice Preparation**

All products or services not available for purchase directly from the online portals should be invoiced within one week of purchase to ensure all revenues are captured and to maintain a regular healthy cash flow for the organization.

- The USA Fencing staff that takes the order is responsible for providing all relevant expense documentation to the finance department within seven (7) days of the date the order was placed.

- The finance department will enter the receivable and send out the invoice immediately upon receipt.
- As part of the monthly close process the director of finance reviews and Accounts Receivable Aging Report for accounts more than 60 days overdue. The director of finance determines appropriate collection efforts for long outstanding invoices.
- The CEO is notified of any account above \$1000.
- An accounts receivable register is to be sent to the CEO, Treasurer, Board Chair and Staff at the end of each calendar month.
- Unpaid balances will be periodically reviewed for uncollectable items. Uncollectable balances will be written off as bad debt at least annually.
- Bad debt allowance will be reviewed at least annually.

#### **Accounts Receivable Process**

- After 30 days, an email reminder will be sent to the account. An email, with payment link, will be re-sent each 7 days until such time as the amount is paid.
- After 60 days, a call will be placed by the Director of Finance, CEO or Treasurer of the organization each 14 days until the amount is paid.
- After 90 days, services will be withdrawn from the account until such time as a payment plan is put in place to the satisfaction of the Director of Finance, or the amount is paid in full.

## REPORT OF THE DIVISION RESOURCE GROUP

To USA Fencing Board of Directors

October 18, 2022

The Division Resource Group, pursuant to the authority delegated by the Board of Directors at its meeting of October 17, 2020, has diligently worked for the past two years to prepare a uniform set of bylaws for mandatory use by USA Fencing's Divisions, a Division Operating Guide addressing implementation of the bylaws and related operational matters, and a set of instructions for use of the bylaws and Division Operating Guide. Copies of all three documents are attached to this report. The bylaw and Operating Guide templates are in a format that allows for certain changes to be made to accommodate local conditions.

The Division Resource Group will in the near future cause the publication of these documents for implementation effective as of the membership year beginning August 1, 2023. During the intervening months, the Resource Group will introduce the documents to division leaders and acquaint them with the documents' contents, implementation, and tailoring to accommodate local conditions.

The Division Resource Group wishes to express its appreciation for the work done by Bryan Wendell and Amanda Mastera in formatting and designing the document presentations and to Christine Simmons, Bob Bodor, Sarah Ross, and Beth Mahr who served as staff liaisons to the Resource Group during this process.

Respectfully submitted by the Division Resource Group,

Dan Berke, Rebecca Chimahusky, Shanna Davis, Dennis Kolakowski, Jennifer Nollner, Brenda Waddoups, Rich Weiss, Donald Alperstein (Board of Directors liaison).

# DIVISION OPERATING GUIDE INSTRUCTIONS



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USA Fencing has adopted a pattern or template Operating Guide pursuant to which all USA Fencing divisions must function. The template Operating Guide, however, allows each division a certain amount of latitude to craft provisions that reflect the needs or preference of that division. These Instructions specify which provisions of the Division Operating Guide may be modified and, where applicable, to what extent modifications may be adopted. These Instructions also provide certain examples to assist the divisions in customizing the Guide. Any questions about the Division Operating Guide or these Instructions should be directed to the USA Fencing Division Resource Team through its USA Fencing staff liaison. The numbers of the following instructions correspond to the numbered sections of the Operating Guide.

## **1.0 Purpose of the Operating Guide**

This section should not be modified except for insertion of the Division's official name.

## **2.0 Who May Modify the Operating Guide**

This section should rarely require modification, but can be, consistent with the Division's Bylaws.

## **3.0 Executive Committee**

The Division may in its Operating Guide make certain revisions to the default composition of its Executive Committee to meet its unique needs.

### **3.1 Officers**

This section may be modified, so long as it remains consistent with the Division's Bylaws, which specify the minimum responsibilities of Division Officers. The Division may choose to assign additional responsibilities to those officers. Such additional responsibilities would then be defined in this section of the Operating Guide. The Division must have a member or members whose defined duties include responsibility for communications and compliance concerning USA Fencing's FenceSafe and Diversity, Equity and Inclusion policies. These duties may be assigned to an officer or officers, or they may be assigned to non-officer advisors to the Executive Committee, as provided in Section 6.4 of the Bylaws. Possible additional duties to be assigned to officers, appointed individuals or committees may include, but are not limited to:

- Regional tournament proposals and coordination
- Division Points lists and updates
- Website upkeep (when not done by the Secretary)
- Collegiate fencing club coordination / support
- Support for Division sponsored tournaments and/or qualifiers (either onsite or otherwise, i.e., adding Division Tournaments on AskFred)

Any such additional assigned duties should be detailed in this section.

If the Division offers some benefits to officers (e.g., paying for the upgraded Professional membership of an officer, paying for mandatory background checks, or allowing Division officers to compete in local sanctioned competitions for no cost), these should be specified in a subsection to Section 3 called "Officer Benefits."

### 3.2 At-Large Members for the Executive Committee

The Division may at its option in its Operating Guide increase the size of the Executive Committee by adding positions to be elected by the Divisions' membership as a whole. If the Division so opts, the Operating Guide must specify the number of At-Large members.

### 3.3 Club Representatives

If no member of a USA Fencing member club in good standing within the Division has been seated on the Executive Committee as an officer or At-Large member, that club may then select one of its members to represent it. Any person so selected must meet and maintain the qualifications of an officer.

## 4 Annual and Special Membership Meetings

The Division should define how the General Membership Meeting or Special Membership Meetings are run, beyond what is stated in the Bylaws. These may include, for example, required agendas, meeting order, etc. Document any Division specific procedures in section 4 of the Operating Guide, as appropriate.

## 5 Division Elections

In this section set forth in detail the election process for the Division, beyond what is required and already stated in the Bylaws. Considerations include but not limited to:

- Limits on or requirements for the number of officers from a single club
- Does the Division have an order of election? Chair 1st? At Large Members?
- How are proxy votes authenticated and tabulated?
- Does the Division have Nominating and Election committees or a combined Nominating and Election Committee? If so, how does the Division form the Committee(s), and what is the process for collecting nominations for elected positions?

Two examples of such provisions are provided below:

Example 1: Elections are held in person, virtually or hybrid, and each USA Fencing Member of the Division with voting privileges may cast one vote for each position in order, one position at a time. Valid Proxy votes are allowed. If a USA Fencing Member holds multiple proxies, that person may not split them up among multiple candidates for the same office. Chair is the first to be elected, Vice Chair is the second, and so on until the entire Executive Committee is chosen including At Large Members and all elected positions are filled. Voting will not be held for positions where there is only one qualified candidate. If a vote is tied, the election will be decided by coin toss or similar randomized method. All proxy votes will be validated by the current division secretary prior to the election. A sample proxy form is provided in the appendix of The Division Operating Guide.

Example 2: The Division selects a group of members to serve as a Nominating and Election committee. The Committee solicits membership for interest in running for office (including the current executive committee) and provides them a candidate statement to be filled out. This information is collected and published on the division website 14 days prior to the election. Members may run for more than a single position. On election day, Chair is the first to be elected, Vice Chair is the second, until the entire Executive Committee is selected including At Large Members, and all elected positions are filled. Each voting member (whether voting in person or by proxy) may cast one vote for each the positions available. Voting will not be held for positions where there is only one candidate. If a vote is a tie, the election will be decided by coin toss or similar randomized method.

The following is a sample provision that may be added to The Division Operating Guide regarding providing candidates with approved proxy forms:

The use of Proxies is allowed in accordance with the Bylaws of the Division. A sample Proxy form is attached as Appendix A to the Division Operating Guide and will be sent to all known candidates when they announce to the election committee their intention to run. The proxy form will also be posted on the Division website at the time of the Membership meeting announcement.

## **6 Tournament Sanctioning**

The provisions of Section 6.0 may not be changed, but further processes or policies used in the Division's sanctioning processes may be added to them, so long as such further processes or policies are consistent with the Operating Guide template, the Division Bylaws, and USA Fencing policies.

### **6.1 Requirements for Division Sanctioning of Tournaments**

The provisions of Section 6.1. subsections are mandatory and may not be changed. The Division may augment these subsections with additional provisions that do not conflict with or reduce the efficacy of the mandatory requirements.

## **7 Division Tournament Schedule, and**

### **7.1 Scheduling Process, and**

### **7.2 Schedule Changes**

The tournament scheduling process and communication of the schedule (and any changes to the schedule) should be designed to give all member clubs, fencers and other interested parties reasonable advance notice of the time and place of all sanctioned tournaments and to provide a fair basis for awarding sanctioning to interested organizers. Below are some examples of acceptable methods of scheduling and announcing division tournaments. The Division may tailor the scheduling and notification processes to meet its needs and traditions, provided those processes are fair, reasonable and, if different from the default text of the Division Operating Guide template or the examples below, have been approved by the USA Fencing Division Resource Team. It is recommended that when reviewing and awarding sanctioned tournaments to member clubs the Division consider (but is not bound by):



- USA Fencing's national and regional calendar;
  - Local high school or college competitions;
  - Division organized events (Qualifiers, Clinics or other Division run competitions);
- and
- The calendars of other USA Fencing Divisions that are in proximity to the Division.

Examples of approved scheduling processes are as follows:

#### Example 1:

Bids from member clubs wishing to hold tournaments should have the following minimum information:

- a. Date of competitions
- b. Name of the tournament
- c. Type of competitions (classification)
- d. Location
- e. Competitions to be contested

Any unusual situations (parking, strip layout, location) should also be communicated to the Division.

A club may submit a "save the date" bid to the Division without all the required information but should respond with complete details within 21 days of posting the tournament to AskFred or a similar service. The Division will respond in time to support the 14-day advance notice minimum.

#### Example 2:

Email invitations to bid for tournaments are sent to all clubs within the Division. One club member from each club will represent their club in providing dates for competitions. In person attendance is not mandatory for awarding of tournaments, but clubs should provide desired dates in email to the Division Chair and Secretary.

Each club representative chooses a number out of the hat. In numerical order clubs are then able to secure the date(s) desired and type of competition. Once everyone has had a pick another round begins until all dates or desired competitions are depleted.

## 8 Division Tournaments

The text of Section 8.0 of the Division Operating Guide template is mandatory. But it may be augmented. Every division is required to hold a Junior Olympic qualifier before the deadline established by USA Fencing, as well as a Youth 14, Division II, and Division III Summer National Championship qualifiers in the spring of each year. Some divisions may serve as the organizer for additional tournaments (e.g., high school league, collegiate club, or larger non-regional competitions), and they should be listed here.

### 8.1 Tournament Official Honorarium, Per Diem and Meals Policy for Division Tournaments and

### 8.2 Travel and Hotel

Sections 8.1 and 8.2 of the Division Operating Guide template may be modified to reflect the Division's adopted practices for compensating, feeding and housing tournament officials who work Division Tournaments.

Here is an example of what might appear at Section 8.1:

The Division has set the pay scale and per diem at the same level as USA Fencing's National tournaments for Division run tournaments (e.g., Junior Olympic and Summer National Championship Qualifiers):

National Referee Rating	Daily Honorarium	Per Diem
N1 (and any international rating)	\$125	\$35
N2 (and Bout Committee/Armory)	\$100	\$35
R1, R2, L1 and L2	\$75	\$35

In addition, referees working more than 4 hours will be fed one "time appropriate" meal (i.e., breakfast, lunch, or dinner) and referees working more than 6 hours will be fed two "time appropriate" meals.

Because the Division Operating Guide has the approval of the Executive Committee, inclusion of these amounts in Section 8.2 satisfies the requirements of Division Bylaws Section 5.3.d.

## **9 Club Tournaments**

This section may be modified by the Division. Some divisions have clubs that host both sanctioned and unsanctioned competitions. If the Division has a policy or procedure around this process, it belongs in Section 9. If the Division charges a sanctioning fee to Clubs, that needs to be detailed here and how payment can be made to the Division.

### **10.0 Tournament Fees and**

#### **10.1 Tournament Fees and Refund Policy**

These sections may be modified by the Division. If the Division has a specific policy for what an organizer may charge for a Division sanctioned competition, it should be stated in Section 10.0. The sections should also address whether organizers may charge for visitors/spectators and how refunds are to be managed for pre-competition withdrawals and for competitions scheduled but not held (e.g., for a JO Qualifier competition not held because it did not have four entrants.)

### **11.0 Division Website and Social Media Presence**

In this section the Division will identify its official website and all social media accounts it uses to communicate with its members.

### **12.0 Division Equipment and Usage**

This section should be modified if necessary to conform to Division policy. If the Division has equipment to lend out, its conditions and any charges for its use should be specified, as should the process for requesting equipment from the Division and remedial measures if damage occurs during the rental. If the Division does own equipment or does not make its equipment available to organizers, that policy should be stated here

### **13.0 Division Club Rental Policy**

This section should be modified to reflect local practice. The Division hosts at least two annual qualifier tournaments, and possibly additional tournaments, referee clinics, or other functions. In this section, specify the Division's policy for renting facilities for Division competitions and functions.



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