

**NOTE:** The actions taken by the Executive Committee described in these minutes were reported to the USTA NorCal Board of Directors at its meeting on May 17, 2023. No modifications were made, and all actions taken by the Executive Committee were effective as of May 4, 2023.

**Executive Committee Members Present:** Christine Costamagna (Vice President), Andrea Norman (Secretary), Pam Sloan (President), and Jack Walker (Treasurer)

**Executive Committee Members Absent:** Jason Scalese (Delegate)

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**1. Call to Order**

President Pam Sloan called the meeting to order at 8:00 am and roll call was conducted.

**2. Approval of Minutes**

The Executive Committee considered approval of the minutes of the meeting held April 24, 2023. Following discussion, the following motion was duly made by Ms. Costamagna seconded by Mr. Walker, and **approved** by a vote of 4 in favor, none opposed, and no abstentions:

**RESOLVED:** That the minutes of the meeting of the USTA NorCal Executive Committee held April 24, 2023 be approved as corrected.

**3. Action Item: Amendment to Adult League Committee Charter**

Ms. Verhoeven presented the Action Item to amend the NorCal Adult League Committee Charter. She reported that an Administrative Grievance related to NorCal Adult Leagues is currently pending and must be addressed in a timely manner. NorCal has recently been advised by the USTA that the Adult League Committee must be the group that hears certain Administrative Grievances, and has the discretion to assign all Administrative Grievances to this committee. The Adult League Charter does not currently state this among the Committee's delegated authority. The proposed amendment to the charter officially gives the Adult League Committee the authority to rule on all Administrative Grievances. It also permits the Adult League Committee to make these decisions by non-unanimous electronic voting, as is being proposed for all other league-related grievance and appeals committees. Following discussion, the following motion was duly made by Mr. Walker, seconded by Ms. Costamagna, and **approved** by a vote of 4 in favor, none opposed, and no abstentions:

**WHEREAS**, the USTA NorCal Adult Leagues Committee is authorized to make uphold or deny Administrative Grievances pursuant to and in accordance with Section 3 of the USTA League Regulations.

**NOW THEREFORE BE IT RESOLVED:** That, effective immediately, the Charter for the Adult League Committee is amended as set forth on Exhibit A.

**4. Action Item: Amendment to USTA NorCal NTRP Self-Rate Appeals Committee Charter and Adoption of NTRP Self-Rate Appeal Procedures**

Ms. Norman presented the Action Item from the NTRP Self-Rate Appeals Committee. She reminded the Committee that the USTA NorCal Board has recently adopted a provision that would permit a committee to conduct its business by non-unanimous electronic voting. The nature of the work done by the NTRP Self-Rate Appeals Committee makes this procedure attractive as it is considering on an almost constant basis appeals of self-rated NTRP ratings. Also proposed is a set of formalized procedures, which substantively reflects the current procedures being used by the Committee. The latter fulfills the Committee's Charter to "Propose for adoption by the Board a set of procedures for handling appeals of self-rated NTRP Ratings that is consistent with the requirements of the USTA Adult League Regulations."

Ms. Norman and President Sloan reported the NTRP Self-Rate Appeals Committee had concerns about the logistics of setting a deadline for voting given the past operations. Ms. Norman agreed to work with the group on solutions that meet their needs and the standards of the non-electronic voting provisions. Following discussion, the following motion was duly made by Ms. Norman, seconded by Mr. Walker and **approved** by a vote of 4 in favor, none opposed, and no abstentions:

**RESOLVED:** That, effective immediately, the USTA NorCal NTRP Self-Rate Appeals Committee is hereby authorized pursuant to Section 2.B. of the United States Tennis Association Northern California Policies on

Decision Making Governance to make decisions by Non-Unanimous Electronic Voting, which requires the following:

- A quorum of the members, as set forth in the USTA NorCal Bylaws must participate in the vote;
- A deadline for voting must be announced and any vote received after this deadline does not count; and
- All votes and any information shared by committee members during the vote are considered organizational records and will be maintained by USTA NorCal staff.

**RESOLVED FURTHER:** That, effective immediately, the Charter for USTA NorCal NTRP Self-Rate Appeals Committee attached as Exhibit B is hereby amended and restated.

**RESOLVED FURTHER:** That, effective immediately, the USTA NorCal Procedures for NTRP Self-Rate Appeals, attached as Exhibit C, is hereby approved.

**5. Action Item: Amendments to the Operations Sections of the USTA NorCal Adult League Grievance Committee Charter, the USTA NorCal Adult League Grievance Appeals Committee Charter, and the USTA NorCal Adult League Medical Appeals Committee Charter**

Ms. Norman presented the Action Item to amend the Operations Sections of the various other committees that handle Adult League grievances and appeals. Again, she noted the recently-adopted provision that permits a committee to conduct its business by non-unanimous electronic voting. Like the NTRP Self-Rate Appeals Committee, the nature of the work done by the USTA NorCal Adult League Grievance Committee, the USTA NorCal Adult League Grievance Appeals Committee, and the USTA NorCal Adult League Medical Appeals Committee makes this procedure attractive as it is considering on an almost constant basis league related grievances and appeals. If these amendments are adopted, all of the Adult League-related grievances and appeals will be handled in the same manner.

Following discussion, the following motion was duly made by Mr. Walker, seconded by Ms. Costamagna and **approved** by a vote of 4 in favor, none opposed, and no abstentions:

**WHEREAS**, the USTA NorCal Adult League Grievance Committee and the USTA NorCal Adult League Grievance Appeals Committee are authorized to make certain grievance and appeals decisions pursuant to and in accordance with Section 3 of the USTA League Regulations; and

**WHEREAS**, the USTA NorCal Adult Medical Appeals Committee is authorized to make certain appeals decisions pursuant to and in accordance with Section 2.05D of the USTA League Regulations and the NTRP Medical Appeal Procedures - Questions and Answers.

**NOW THEREFORE BE IT RESOLVED:** That, effective immediately:

- the USTA NorCal Adult League Grievance Committee;
- the USTA NorCal Adult League Grievance Appeals Committee; and
- the USTA NorCal Adult League Medical Appeals Committee

are hereby authorized pursuant to Section 2.B. of the United States Tennis Association Northern California Policies on Decision Making Governance to make decisions by Non-Unanimous Electronic Voting, which requires the following:

- A quorum of the members, as set forth in the USTA NorCal Bylaws must participate in the vote;
- A deadline for voting must be announced and any vote received after this deadline does not count; and
- All votes and any information shared by committee members during the vote are considered organizational records and will be maintained by USTA NorCal staff.

**RESOLVED FURTHER:** That, effective immediately, the Operations sections of the Charters for

- the USTA NorCal Adult League Grievance Committee;
- the USTA NorCal Adult League Grievance Appeals Committee; and
- the USTA NorCal Adult League Medical Appeals Committee

are amended as set forth below (underlined language is proposed to be added; stricken through language is proposed to be deleted).

### **Operations**

1. The Committee will meet with such frequency as it may determine. The Chair of the Committee will preside over all meetings of the Committee.
2. The majority of the Committee members will constitute a quorum. Committee approvals will require a vote of a majority of the Committee members present at a meeting at which a quorum is present. Pursuant to Bylaw IX.D. the Committee may petition the Board to have a quorum be less than a majority of its members.
3. The Committee will follow all governance procedures set forth in the United States Tennis

Association Northern California Policies on Decision Making Governance adopted on August 17, 2022, which may be amended by the USTA NorCal Board from time to time. Included in the Policies are procedures for minutes, presenting recommendations for Board approval, and reporting actions taken by the Committee that are within the clearly defined scope of authority that the Board has specifically delegated to the Committee.

4. The Committee has been authorized to make decisions by Non-Unanimous Electronic Voting as described in the United Tennis Association Northern California Policies on Decision Making Governance which requires the following:

  - A quorum of the members, as set forth in the USTA NorCal Bylaws must participate in the vote;
  - A deadline for voting must be announced and any vote received after this deadline does not count; and
  - All votes and any information shared by committee members during the vote are considered organizational records and will be maintained by USTA NorCal staff.
- 4.5. Unless the Committee otherwise directs, the Executive Director may attend all Committee meetings.
- 5.6. The Committee may invite any non-Committee member to attend meetings or meet with Committee members as appropriate, but such individuals shall not be members of the Committee or have a vote on any matters before the Committee.
- 6.7. The Executive Director will appoint a staff member or members to serve as the Committee's staff liaison(s). This person or persons will be permitted to attend meetings of the Committee, but will not be a member of the Committee or have a right to vote on matters before the Committee. The Committee shall have the right to meet at any time with only Committee members present as it deems appropriate.
- 7.8. The Committee will review this charter periodically and recommend any proposed changes to the USTA NorCal Board for review and consideration. The Board may amend or revoke this charter at any time.

## **6. Adjournment**

There being no objection, the meeting was adjourned at 8:17 am.

Respectfully submitted,  
Andrea Norman, Secretary

## **Authority**

1. The Adult Leagues Committee is a Committee of the Corporation established under Article IX of the Bylaws (the "Committee") of United States Tennis Association Northern California ("USTA NorCal").
2. As a Committee of the Corporation, the Committee may not act on behalf of or with the authority of the Board of Directors (the "Board"), but may provide advice to the Board and take action on matters specifically delegated to the Committee by the Board. When the Committee has taken an action that is within the clearly defined scope of authority that the USTA NorCal Board has specifically delegated to the Committee as set forth in this Charter or in a Board resolution, all such actions shall be reported up to the full Board at its next meeting. In all other matters, the Committee's role is to review matters within its scope, provide recommendations to the Board, carry out Board decisions, and serve as a resource for management.

## **Membership**

1. Directors and non-Directors may be members of the Committee, subject to the requirement that the Committee shall consist of at least two (2) individuals at all times. Pursuant to the Bylaws, the President will appoint members of the Committee and a Chair of the Committee from among its members, each to serve for the duration of the then serving President's term, unless they are earlier removed or resign or unless the President believes a change in membership of the Committee in the best interest of USTA NorCal. Vacancies in the Committee shall be filled in the manner in which the original appointments were made.
2. Pursuant to Bylaw IX.D. the number of Committee members may be designated from time to time by the President, or may, in the President's discretion, be determined by the Committee Chair.
3. The President is an *ex officio* member of the Committee.

## **Operations**

**8.9.** The Committee will meet with such frequency as it may determine. The Chair of the Committee will preside over all meetings of the Committee.

**9.10.** The majority of the Committee members will constitute a quorum. Committee approvals will require a vote of a majority of the Committee members present at a meeting at which a quorum is present. Pursuant to Bylaw IX.D. the Committee may petition the Board to have a quorum be less than a majority of its members.

**10.11.** The Committee will follow all governance procedures set forth in the United States Tennis Association Northern California Policies on Decision Making Governance adopted on August 17, 2022, which may be amended by the USTA NorCal Board from time to time. Included in the Policies are procedures for minutes, presenting recommendations for Board approval, and reporting actions taken by the Committee that are within the clearly defined scope of authority that the Board has specifically delegated to the Committee.

**12.** Only when considering Administrative Grievances filed pursuant to the USTA League Regulations, the Committee has been authorized to make decisions by Non-Unanimous Electronic Voting as described in the United Tennis Association Northern California Policies on Decision Making Governance which requires the following:

- A quorum of the members, as set forth in the USTA NorCal Bylaws must participate in the vote;
- A deadline for voting must be announced and any vote received after this deadline does not count; and
- All votes and any information shared by committee members during the vote are considered organizational records and will be maintained by USTA NorCal staff.

**11.13.** Unless the Committee otherwise directs, the Executive Director may attend all Committee meetings.

**12.14.** The Committee may invite any non-Committee member to attend meetings or meet with Committee members as appropriate, but such individuals shall not be members of the Committee or have a vote on any matters before the Committee.

**13.15.** The Executive Director will appoint a staff member or members to serve as the Committee's staff liaison(s). This person or persons will be permitted to attend meetings of the Committee, but will not be a member of the Committee or have a right to vote on matters before the Committee. The Committee shall have the right to meet at any time with only Committee members present as it deems appropriate.

**14.16.** The Committee will review this charter periodically and recommend any proposed changes to the USTA NorCal Board for review and consideration. The Board may amend or revoke this charter at any time.

**Committee Charge:** The purpose of the Adult Leagues Committee is to promote and provide recreational and competitive league team opportunities for players aged 18 and over.

### **Responsibilities**

1. To advise, assist, work and collaborate with the USTA NorCal staff, the USTA Network and overall tennis industry.
2. Monitor participation in USTA NorCal adult league programs to identify areas for growth and concerns related to retention.
3. Develop ideas for new Adult League product(s) offerings and analyze and make recommendations for retiring product lines where demand no longer supports the resources to host events. Explore WTN play opportunities for Adult League players.
4. Secure host sites and make recommendations on hosting League Championships, and the annual awards event.
5. Support entry-level growth, retention and customer service for adult league players at all levels.
6. Ensure clear and consistent rules and regulations and are compliant with the National League Regulations.
7. Support education and training for captains and players.
8. Develop, compile, review, evaluate and report on the results of the 2023 Player Survey.
9. Collaborate with the Adult Tournament Committee to grow participation in NTRP National Championship Qualifiers and the NTRP National Championships and develop similar play opportunities.
10. Develop sportsmanship initiatives and recognition opportunities.

### **Delegation of Authority**

The only authority specifically delegated to the Committee by the Board is set forth below:

- The Committee is authorized to select the winners of the Adult League Awards, based on the criteria previously approved by the USTA NorCal Board.
- [The Adult League Committee is authorized to investigate and decide matters relating to Administrative Grievances, which shall be handled in a manner consistent with the requirements of the USTA League Regulations.](#)

Notwithstanding this delegation of authority, any time a decision involves a conflict of interest, the action must be submitted as a recommendation to the USTA NorCal Board of Directors for approval.

## **Authority**

3. The USTA NorCal NTRP Self-Rate Appeals Committee is a Committee of the Corporation established under Article IX of the Bylaws (the "Committee") of United States Tennis Association Northern California ("USTA NorCal").
4. As a Committee of the Corporation, the Committee may not act on behalf of or with the authority of the Board of Directors (the "Board"), but may provide advice to the Board and take action on matters specifically delegated to the Committee by the Board. When the Committee has taken an action that is within the clearly defined scope of authority that the USTA NorCal Board has specifically delegated to the Committee as set forth in this Charter or in a Board resolution, all such actions shall be reported up to the full Board at its next meeting. In all other matters, the Committee's role is to review matters within its scope, provide recommendations to the Board, carry out Board decisions, and serve as a resource for management.

## **Membership**

4. Directors and non-Directors may be members of the Committee, subject to the requirement that the Committee shall consist of at least two (2) individuals at all times. Pursuant to the Bylaws, the President will appoint members of the Committee and a Chair of the Committee from among its members, each to serve for the duration of the then serving President's term, unless they are earlier removed or resign or unless the President believes a change in membership of the Committee in the best interest of USTA NorCal. Vacancies in the Committee shall be filled in the manner in which the original appointments were made.
5. Pursuant to Bylaw IX.D. the number of Committee members may be designated from time to time by the President, or may, in the President's discretion, be determined by the Committee Chair.
6. The President is an *ex officio* member of the Committee.

## **Operations**

15.17. The Committee will meet with such frequency as it may determine. The Chair of the Committee will preside over all meetings of the Committee.

16.18. The majority of the Committee members will constitute a quorum. Committee approvals will require a vote of a majority of the Committee members present at a meeting at which a quorum is present. Pursuant to Bylaw IX.D. the Committee may petition the Board to have a quorum be less than a majority of its members.

17.19. The Committee will follow all governance procedures set forth in the United States Tennis Association Northern California Policies on Decision Making Governance adopted on August 17, 2022, which may be amended by the USTA NorCal Board from time to time. Included in the Policies are procedures for minutes, presenting recommendations for Board approval, and reporting actions taken by the Committee that are within the clearly defined scope of authority that the Board has specifically delegated to the Committee.

20. The Committee has been authorized to make decisions by Non-Unanimous Electronic Voting as described in the United Tennis Association Northern California Policies on Decision Making Governance which requires the following:

- A quorum of the members, as set forth in the USTA NorCal Bylaws must participate in the vote;
- A deadline for voting must be announced and any vote received after this deadline does not count; and
- All votes and any information shared by committee members during the vote are considered organizational records and will be maintained by USTA NorCal staff.

18.21. Unless the Committee otherwise directs, the Executive Director may attend all Committee meetings.

19.22. The Committee may invite any non-Committee member to attend meetings or meet with Committee members as appropriate, but such individuals shall not be members of the Committee or have a vote on any matters before the Committee.

20.23. The Executive Director will appoint a staff member or members to serve as the Committee's staff liaison(s). This person or persons will be permitted to attend meetings of the Committee, but will not be a member of the Committee or have a right to vote on matters before the Committee. The Committee shall have the right to meet at any time with only Committee members present as it deems appropriate.

**21.24.** The Committee will review this charter periodically and recommend any proposed changes to the USTA NorCal Board for review and consideration. The Board may amend or revoke this charter at any time.

**Committee Charge:** The purpose of the NTRP Self-Rate Appeals Committee is to fulfill the requirement set forth in the USTA Adult League Regulations that each Sectional Association must designate a committee to handle Self-Rate Appeals for those who appeal their assigned self-rating level.

### **Responsibilities**

Propose for adoption by the Board a set of procedures for handling appeals of self-rated NTRP Ratings that is consistent with the requirements of the USTA Adult League Regulations.

### **Delegation of Authority**

Once procedures for handling appeals of self-rated NTRP Ratings have been adopted by the Board, the Committee is authorized to make decisions related to all such appeals consistent with those procedures.



## USTA NorCal Procedures for NTRP Self-Rate Appeals Adopted May 4, 2023

These United States Tennis Association Northern California ("USTA NorCal") Procedures for NTRP Self-Rate Appeals (the "Procedures") amend and restate all prior policies, rules, and practices on the same subjects described herein, including, but not limited to all prior Board of Directors ("Board") resolutions. These Policies are not intended to, and shall not be interpreted to, conflict with any laws applicable to USTA NorCal or the USTA NorCal Bylaws or Articles of Incorporation. To the extent at any time any of these Procedures conflict with any law or provision of the USTA NorCal Bylaws or Articles of Incorporation, the law, Articles, and/or Bylaws control and shall be followed.

- 1. NTRP Self-Rate Appeals Committee & Jurisdiction.** The USTA League Regulations require that each Sectional Association appoint a committee to handle Self-Rate Appeals for those who appeal their assigned self-rating level. The USTA NorCal Committee assigned with this responsibility shall be the NTRP Self-Rate Appeals Committee (the "Committee") and shall have sole jurisdiction over handling these appeals.
- 2. Filing an NTRP Self-Rate Appeal.** Any appeal of a self-rated NTRP Rating must be submitted by the player appealing their rating (the "Player") in writing, and must be on the form designated by the USTA (the "Appeal Form").

**Comment Regarding Appeal Form:** The Appeal Form is an electronic form that can be found by logging into TennisLink. Forms must be submitted online in accordance with the instructions found on TennisLink. It is recommended that before submitting an appeal, the Player read the General & Experienced Player Guidelines that can be found at:

[http://www.usta.com/Adult-Tennis/USTA-League/experienced\\_player\\_guidelines](http://www.usta.com/Adult-Tennis/USTA-League/experienced_player_guidelines)

- 3. Investigation by Committee.** The Committee shall consider all information provided on the Appeal Form, and the following:
  - Player's Self-Rate Form;
  - Player's Multi-Year history report;
 The Committee may also consider any additional information it, in its sole discretion, considers relevant to investigate of the appeal.
- 4. Committee Decision on Appeal.** The Committee may make decisions on to uphold or deny appeals at either a meeting or by non-unanimous electronic voting.
  - A. Non-Unanimous Electronic Voting.** As authorized by the USTA NorCal Board of Directors, the Committee may make decisions by non-unanimous electronic voting *provided that:*
    - A quorum of the members, as set forth in the USTA NorCal Bylaws must participate in the vote;
    - A deadline for voting must be announced and any vote received after this deadline does not count; and
    - All votes and any information shared by committee members during the vote are considered organizational records and will be maintained by USTA NorCal staff.
  - B. Meeting.** The Chair shall set an appropriate time and place for a meeting of the Committee to deliberate and determine whether to uphold or deny the appeal. The Chair shall decide whether the meeting is in person, by telephone or by other electronic means. The Player has no right to appear.
- 5. Notice of Decision.** The Chair, or the Chair's designee, shall notify the Player in writing of the decision no later than 5 days after the decision has been made.

**Comment Regarding Decision Timeline:** There is no mandated timeframe for the Committee to make a decision with respect to an Appeal; however, a Player should expect the process to take up to three weeks.

- 6. No Right to Appeal.** Pursuant to the USTA League Regulations, the Player will abide by the Committee's decision without further right to appeal same, *except that* the Committee may reconsider its decision in the event there has been a clear factual error made by the Committee.
- 7. Player Subject to Grievance Based Only on Newly Discovered Information.** Pursuant to the USTA League Regulations, a Player granted an appeal of their self-rating may be subject to a NTRP grievance based only on newly discovered or missing information not previously considered.

**8. Amendments by USTA to the USTA League Regulations Considered Conforming Changes.** Certain provisions of these Procedures are dictated by the USTA League Regulations. Any time an amendment is made to the USTA League Regulations that affects these Procedures, it shall be incorporated as a conforming change to these Procedures, unless it is in conflict with applicable law.

**Regulation Comment: USTA League Regulation Mandating NTRP Self-Rate Appeals Process (as of May 2023)**

1.04F(1)g Each Sectional Association shall designate a committee to handle Self-Rate Appeals for those who appeal their assigned self-rating level. This committee may be the same, in whole or part, as the Sectional League Grievance Committee that handles NTRP Grievances. Players who appeal their rating and anyone acting on their behalf will abide by the Self-Rate Appeals Committee's decision without further right to appeal same, except that the Committee may reconsider its decision in the event there has been a clear factual error made by the Committee. Players granted an appeal of their self-rating may be subject to NTRP Grievance based only on newly discovered or missing information not previously considered. (See General & Experienced Player Guidelines – Supplement to the NTRP Guidelines.)