



Minutes of the NorCal Governance & Ombuds Committee Meeting Thursday, October 7, 2021

PENDING
COMMITTEE
APPROVAL

NOTE: *The resolutions in these minutes are not considered final until approved by the USTA NorCal Board of Directors. All minutes are final after approval by the committee.*

Andrea Norman, chair of the Committee, called the meeting to order at 1:04 pm and roll call was conducted. The meeting was held by teleconference.

Committee Members Present: Andrea Norman (chair), Chrissie Costamagna, and Michael Cooke.

1. **Approval of Minutes.** The Council considered approval of the minutes of the meeting held June 1, 2021. The following motion was duly made by Michael Cooke, seconded Chrissie Costamagna, and **approved** by a vote of 2 in favor, none opposed, and no abstentions:

RESOLVED: That the minutes of the Governance & Ombuds Committee meeting held June 1, 2021 be approved as presented.

2. **Right of Refusal Regulation.** NorCal has had two recent incidents that nearly resulted in this rule being used by a Tournament Committee. This led to a review of the existing regulation and a proposed re-write to address several issues:

1. To require advanced notice to NorCal when a Tournament Committee intends to exercise its right;
2. To require a Tournament Committee give good cause shown and including a reference in the regulation to the policies NorCal has in place to address problematic behavior;
3. To correct a mistake in the existing regulation: an entry can't be refused after a player has been selected.

The proposal the Committee is being asked to consider was written in consultation with Jonathan Madison, and was sent to the NorCal Adult and Junior Staff for review. This Committee is considering the amendment because it impacts two sets of existing Regulations (and a proposed set for Junior Circuit Events) and because this deals more with a governance issue than a rule related to how a tournament or event is run.

The following motion was duly made by Chrissie Costamagna, seconded Michael Cooke, and **approved** by a vote of 2 in favor, none opposed, and no abstentions:

RESOLVED: That, effectively immediately, the Right of Refusal policy that is include in the USTA Adult, Family and Wheelchair Tournament Rules and the USTA NorCal Junior Tournament Regulations be amended as followed (underlined language is proposed to be added, stricken-though language is proposed to be deleted, except that the blue underlined language already appears in the USTA NorCal Junior Tournament Regulations):

Right of Refusal. After reasonable notice is provided to USTA NorCal stating good cause shown, and subject to the Tournament Committee's exhaustion of all reasonable measures to address the cause including, but not limited to the USTA Suspension Point System, the USTA Zero Tolerance Policy, and the USTA NorCal grievance procedures, ~~t~~The Tournament Committee reserves the right to ~~refuse any entry either before or after the draws have been published,~~
• Refuse to accept a player's entry; or
• After selection of an entry, remove a player from the list of accepted entries or from the draw before the tournament starts,
except that an entry may not be refused based on the basis of race, creed, sexual orientation, color, or national origin, or any other unlawful means under federal and state law. ~~The removal of a player from the list of accepted entries or a withdrawal of a player in these circumstances this will be classified as a tournament administrative error.~~ Some draws may be limited.

RESOLVED FURTHER: That, effectively immediately, this Right of Refusal policy be incorporated into the USTA NorCal Junior Circuit Event Regulations that are being proposed by Junior Council for adoption by the USTA NorCal Board at its October 20, 2020 meeting.

There being no further issues or discussion to come before the Committee, the meeting was adjourned at 1:20 pm.