

Agenda March 2002
NPDA Meeting
March 22, 2002
Denver Tech Center

- 1) Call to Order
- 2) Announcements and Reports
- 3) Approval of Minutes currently on the webpage
- 4) Old Business
- 5) New Business

A-- A constitutional amendment to change voting procedure.

Amend Article VI: Annual Business Meeting of the Association, Section 3.

Current text: Each member institution may be represented by one voting representative (who need not be the Director of Forensics but may be a substitute from the same school or a proxy given to the representative of another school) at a Business Meeting.

Proposed addition: The National Student Representative and District Student Representatives will each be given a vote at the fall and spring NPDA business meetings. If the District Student Representatives are unable to attend either the fall or spring business meeting, the National Student Representative may deliver the respective vote by proxy.

Reasons to support:

- 1. This proposal is in no way, shape, or form intended to overthrow the current structure of NPDA. It's designed to allow more student input into the decision-making process of our organization.**
- 2. It gives the elected members of the NPDA student body a more legitimate aspect for their office. It allows for more substantial merit of serving as National Student Representative or District Student Representative.**
- 3. The proposal takes into account the historical aspects of NPDA and further enhances the organization's goal of long-term growth, longevity of the activity, and educational focus.**

Respectfully Submitted by : Rebekah Caruthers
Creighton University
NPDA National Student Representative 2001-02

B—Additional article to the constitution on management of assets

On February 11, 2002, the Executive Committee of the National Parliamentary Debate Association, acting under powers granted to it in the Constitution, Article V Section 1, and Article VII Section 1, formally adopted by unanimous vote the following addition to the Constitution. Pursuant to the requirements of Article VII, this action is hereby presented to the membership for ratification.

Add to the Constitution "Article VIII Management of Assets"

Section 1. The National Parliamentary Debate Association is organized exclusively for educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)3 of the Internal Revenue Code, or corresponding section of any future federal tax code.

Section 2. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, officers or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in the furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation in (including the publishing or

distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c)3 of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c)2 of the Internal Revenue Code, or corresponding section of any future federal tax code.

Section 3. Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)3 of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such asset not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Rationale: NPDA is currently petitioning the IRS for 501c(3) status as a non-profit educational organization, which would enable us, among other things, to solicit tax-deductible contributions to support appropriate projects. The IRS requires organizations to include the above items in their governing documents in order to qualify for 501c(3) status. The Executive Committee took this action in early February in order to keep the application process moving in an expedited manner.

C--Endorsing the method of warm room posting at the National Championship Tournament mandated in the previously approved by-law change.

"Posting of results in the National Championship Tournament warm room (cf. ByLaws XII section 5B) will be by team name followed by an asterisk if that team won the specified round."

Justification: During the season, tournaments attempting to emulate Nationals warm room procedures have implemented postings in a variety of ways. Some posted complete current win-loss numbers (such as 4-2, 1-3). Others did the same but added team speaker points totals. Still others used the asterisk system proposed above. This motion offers the organization a chance to clarify its preferences on this matter. In addition, some have observed that the asterisk format, while fulfilling the purpose of disclosure, is less conducive to manipulation of decisions in subsequent rounds. PLEASE NOTE: 1) This motion does NOT eliminate the warm room at nationals. 2) This motion assumes that the default format for posting is by team name followed by complete current win-loss records (4-2, 1-3). If this motion fails, that will be the posting format.

--Submitted by: Tom Kuster, Bethany Lutheran

D--Amendment to Bylaw XI, Section F, to make round two of the NPDA Championship Tournament a "Power-Matched" debate beginning in 2003 (unless determined by the Tournament Director to be feasible in 2002)

(Language to be added is presented in italics; Language to be deleted is presented in brackets)

1. Randomly paired [~~debates~~]*debate*. The first [~~two debates~~]*debate* shall be paired randomly except that care shall be taken to ensure that teams from the same geographic regions do not meet.
2. Power-matching
 - a) Rounds [~~3-8~~]*2-8* will be power matched based on each teams cumulative record through the previous round.
 - b) All power-matched rounds shall be conducted using standard high-low within bracket procedures.
 - c) If a record bracket contains an uneven number of teams, the bracket shall be evened by "pulling leftovers down." The uneven bottom of the upper bracket is moved to the top of the next lower bracket. Care should be taken to avoid second "pull downs."

- d) For the purpose of power-matching rounds [3-5]2-5, team order shall be determined by the following criteria:
- (1) Number of Wins
 - (2) Total Speaker Points
 - (3) Adjusted Speaker Points: Adjusted by dropping the high and the low scores
 - (4) Opposition Wins: The strength of the teams competition as defined by the number of wins earned by the teams opposition
 - (5) Double-Adjusted Points: Adjusted by dropping the two high and the two low scores
 - (6) Judge Variance: The average number of points that each judge gave the team relative to the number of points the judge gave to all other teams the judge was assigned
 - (7) Random

{Language endorsed by the membership, but not to be included in the text of the Bylaws: "This Amendment will take effect beginning with the 2003 NPDA Championship Tournament, unless the Tournament Director determines that it may be implemented for the 2002 NPDA Championship Tournament without substantially delaying the tournament schedule."}

Justification: The tournament should pair debates to appropriately set the elimination round bracket. A second randomly paired debate increases pairing inequities. A debate team, for example, may debate two late-elimination round teams in the first two debates and another like-situated team may debate two relatively inexperienced teams. The tournament should minimize this sort of inequity with a single randomly paired debate. Especially in a tournament as large as the NPDA Championship Tournament, this sort of disparity can have a substantial effect. If both rounds one and two are randomly matched, as many as 30% of the field will end up 0-2 going into round 3 and as many as 30% will be 2-0. However, if round two is power-matched, there will only be 25% in each category. This theoretically makes the final seeding for our elimination rounds both fairer and more accurate.

Submitted by: Brian Shipley, Georgetown University

Co-Sponsored by: John Meany, Claremont Colleges and Renea Gernant, Concordia University

E--Amendment to Bylaw XI(F)(4)(a), to specify the order of seeding in the elimination rounds of the NPDA Championship Tournament

(Language to be added is presented in italics)

4. Scheduling elimination rounds

- a. All teams with winning records (5-3 or better) will advance to the single-elimination rounds. *The initial seeding order of teams advancing to elimination rounds will be determined by the following criteria:*

- (1) *Number of Wins*
- (2) *Adjusted Speaker Points: Adjusted by dropping the high and the low scores*
- (3) *Total Speaker Points*
- (4) *Opposition Wins: The strength of the team's competition as defined by the number of wins earned by the team's opposition*
- (5) *Double-Adjusted Points: Adjusted by dropping the two high and the two low scores*
- (6) *Judge Variance: The average number of points that each judge gave the team relative to the number of points the judge gave to all other teams the judge was assigned*
- (7) *Random*

{Language endorsed by the membership, but not to be included in the text of the Bylaws: “This Amendment will take effect beginning with the 2002 NPDA Championship Tournament.”}

Justification: This Amendment is purely a housekeeping measure to codify consistent tab room practice every year since the first NPDA Championship Tournament in 1994.

Submitted by: Brian Shipley, Georgetown University

Co-Sponsored by: John Meany, Claremont Colleges, Robert Trapp, Willamette University and Renea Gernant, Concordia University

F--Amendment to Bylaw XII(5B) & Bylaw XI(F), to make tab room disclosure requirement applicable only to the NPDA Championship Tournament, and not also all regular season tournaments not having identified a deviation from NPDA rules in a tournament invitation

(Language to be added is presented in italics; Language to be deleted is presented in brackets)

Amend Bylaw XII(5B) as follows:

- 5B. [A running update of all teams’ records will be publicly posted in a “warm room” or common area accessible to all tournament participants.] After returning the ballot, the judge may, at his or her discretion, give brief constructive comments to the debaters. Such conversations should, if possible, take place in the established “warm room” area *if one is designated by the tournament*. No one may be required to enter the “warm room” or participate in discussions. Judges should refrain *from* checking the records of teams they are about to judge *should such information be available*.

Amend Bylaw XI(F) as follows:

Add new section (F)(4), and renumber the existing section “(4)” to section “(5)” accordingly:

4. *Tab Room Disclosure. After tabulating the results of each preliminary round 1-7 and releasing the pairings for the subsequent round, the tabulation staff will post a running update of all teams’ records in a common area accessible to all tournament participants.*

Justification: Pursuant to other Bylaw provisions, those regular season tournaments not conducted pursuant to the NPDA “Rules of Debating and Judging” in Bylaw XII may not be included in the calculation of year-long sweepstakes awards—even if a tournament was previously “sanctioned” by the Executive Secretary—unless any deviations from those rules were pre-announced clearly in the tournament invitation. The requirement for tab room disclosure of teams’ records during the tournament was amended into Bylaw XII, which effectively required all tournaments to either provide such disclosure or be excluded from the year-long NPDA Sweepstakes competition, unless a specific notation had been made in the tournament invitation. This amendment moves the disclosure procedure out of the Bylaw XII “Rules of Debating and Judging” into the Bylaw XI “NPDA Championship Tournament Procedures,” thus making it only applicable to NPDA Nationals and irrelevant to the Executive Secretary’s calculation of sweepstakes.

This Amendment restores the Executive Secretary’s role with regard to tournament sanctioning and sweepstakes calculation. Virtually all other information required for sanctioning and sweepstakes calculation was demographic in nature (i.e., number of rounds, number of teams and schools participating, host’s membership status, timeliness of results submission, etc.) until the tab room disclosure provision was added to Bylaw XII. To leave the disclosure provision in the general rules applicable to all tournaments throughout the season would force the Executive Secretary to monitor tournament invitations and tournament conduct in detail, almost impossibly increasing her workload and the amount of paper having to be stored for record keeping. This amendment further restores the actual NPDA Rules of Debating and Judging to the more flexible and minimalist document that it has traditionally been intended to be.

Submitted by: Brian Shipley, Georgetown University

Co-Sponsored by: Renea Gernant, Concordia University, Robert Trapp, Willamette University, Scott Gratson, Metro State University, Tom Kuster, Bethany Lutheran College, and Michael Dreher, Bethel College

G-- Proposal to permit engaging "public" or "celebrity" judges for semi-final and final rounds

Proposal: Add to Bylaws XI G Judge Assignment a new section 6. "None of the above shall preclude engaging a number of qualified "public" judges, prominent members of the intellectual community who are not necessarily coaches or former debaters, who would join judging panels in semi-final and final rounds. Such judges will be identified to participating debaters prior to the start of the tournament and will submit statements describing their background and philosophy. They will be suitably trained and oriented to our debate procedures in advance of their judging. Such judges will not exceed in number 40% of any judging panel. These judges may not be stricken by any team."

Justification/Logistics: If approved by the membership, here is a way to proceed.

1. The local host and local staff (with suggestions from others) will brainstorm a list of 20 or so suitable prominent citizens who are either near the host site or who might be persuaded to be there for this occasion. The list would include addresses and other needed contact information.
 2. The Tournament Director and the NPDA president will draft and co-sign letters of invitation to these persons in some order of priority, until we have an appropriate number of acceptances.
 3. The Tournament Director will appoint a "public judge hospitality committee" (that is, a judge training committee) whose task will be to prepare these judges BEFORE the tournament, and to greet and accompany them AT the tournament in a manner befitting their status. Besides showing them hospitality, the goal of this committee is to assure everyone - both the judges themselves and competitors - that these judges understand their task and can do a good job. The "hospitality committee" will ask each public judge to do such things as...
 - read orientation materials about parl rules and procedures including basic decision principles ("not your belief, but who debated better," etc.)
 - arrive at least one round early to witness a tournament debate prior to the one they judge
 - visit for a half hour or so with two or three select experienced judges, discussing their task
- The committee would also be charged with developing a questionnaire to produce a "judging philosophy" from these judges.
4. The care and nurture of the public judges would be turned over to the hospitality committee, who will make sure they are well oriented.
 5. The function and identities of the public judges will be well publicized to all participants prior to the tournament.
 6. The NPDA publications committee will be asked to take steps to maximize the favorable publicity the tournament might obtain from the engagement of these well-known judges.

Reasons supporting this proposal:

- 1. It highlights what we are. NPDA promotes parliamentary debate, an academic activity that prepares students well for engaging in public discourse, and we can demonstrate that powerfully by engaging able public critics in our most important rounds. Public discourse is what we (NPDA) do.**
- 2. It enriches the climax of our tournament, adding another dimension of challenge and excitement to the closing rounds for both debaters and audience.**
- 3. It builds bridges between academe and the community, and in particular between our activity and the "public dialogue" - our best debaters become better known "out there," and our activity demonstrates its relevance to the ongoing discussion of public issues in the real world.**
- 4. In a ripple effect, NPDA debaters throughout the tournament , perhaps throughout the season - must give more thought to how they can be effective before such judges.**

5. It encourages the continuance of an important NPDA tradition. Cf. early constitution which called for significant numbers of non-coach judges at all tournaments.

6. It would fuel endless and fascinating discussions regarding how and why ballots split between and among public and coach judges - and after a while, if the custom continued, even provide a body of data useful in evaluating how we are doing as an educational activity.

7. The PR possibilities could be significant. Would this help us get the attention (that we deserve) from C-Span? CNN? The national weeklies? Certainly we would be more interesting to newspapers, not only in host cities but in the home communities of participating teams.

Submitted by: Tom Kuster, Bethany Lutheran

H--Proposed Amendment: Regional Representatives

This falls under NPDA Constitution, Article 3, Section 1:

"If the results of the elections result in a regional representative being elected to the Executive Council as one of the elected officers, then the members of the representative's constituency shall call a new election to be held as soon as possible to fill the remainder of the term."

Reasoning for amendment: 1) This actually happened in the recent past. 2) Constituency is defined so as to include the Community College representative.

Submitted by: Michael Dreher, Bethel College

I--An amendment for judge certification.

An amendment to Bylaw XII: Tournament Operating Procedures. Section H. Enforcement of Tournament Rules. Subsection (1).

Current text: Enforcement of Section 4 of the NPDA Tournament Rules (section entitled "duringthe debate") shall be the province of the judge (or in the case of multiple judge panels, of the Speaker of the House).

Proposed change: Enforcement of Section 4 of the NPDA Tournament Rules (section entitled "duringthe debate") shall be the province of the judge (or in the case of multiple judge panels, of the Speaker of the House). To ensure appropriate enforcement of the established rules, each school attending the national tournament must certify, with its registration materials for the tournament, that each listed judge from its school has read and is familiar with the rules of the national tournament and is willing to abide by the rules. The tournament director and/or local host will certify hired judges. Such certification indicates that the judge has received a copy of the tournament rules, participated in a comprehensive judge training session, or has become familiar with the rules in some other manner. Uncertified judges may not cover team entries.

Justification: It is not possible to "enforce" rules with which one has limited familiarity. Many judges at the national and other tournaments are unaware of the rules. It is important for judges to know the rules to fairly adjudicate contests.

--John Meany, Claremont Colleges

J--An amendment to promote clash in debates.

An amendment to Bylaw XIII: Tournament Rules. Rules of Debating and Judging. Section 2. Objective of the debate.

Current text: The opposition must oppose the resolution and/or the proposition team's case. If, at the end of the debate, the judge believes that the proposition team has supported and successfully defended the resolution, they will be declared the winner; otherwise the opposition will be declared the winner.

Proposed change: The opposition must oppose the proposition team's case. If, at the end of the debate, the judge believes that the proposition team has supported and successfully defended the resolution, as interpreted, they will be declared the winner; otherwise the opposition will be declared the winner.

Justification: These changes will promote clash in the debate, The current language presumes a resolution existing independently of its interpretation by the proposition team. The proposed language change suggest that the resolution does not have a fixed meaning prior to contextualization by the proposition team. In addition, the changes promote clash by directing opposition argument to the proposition case rather than to a different understanding or interpretation of the resolution. As any statement may have myriad reasonable interpretations, as well as other interpretations that are contradictory, foolish, or maniacal, the claim that the opposition could debate any of these, rather than the presumably sensible position advanced by the proposition team in a debate, undermines the purpose of adversarial argumentation.

--John Meany, Claremont Colleges

K--An amendment to eliminate points of order and privilege.

An amendment to Bylaw XIII: Tournament Rules. Rules of Debating and Judging. Section 4. During the Debate. Subsection (4F) Points of Order and subsection (4G) points of Personal Privilege.

Current text: 4F. Points of Order

Points of order can be raised for no reason other than those specified in these Rules of Debating and Judging. If at any time during the debate, a debater believes that his or her opponent has violated one of these Rules of Debating and Judging, he or she may address the Speaker of the House with a point of order. Once recognized by the Speaker of the House, the debater must state, but may not argue for, the point of order. At the discretion of the Speaker of the House, the accused may briefly respond to the point of order. The Speaker of the House will then rule immediately on the point of order in one of three ways: point well taken, point not well taken, or point taken under consideration. The time used to state and address a point of order will not be deducted from the speaking time of the debater with the floor. A point of order is a serious charge and should not be raised for minor violations.

4G. Points of Personal Privilege

At any time during the debate, a debater may rise to a point of personal privilege when he or she believes that an opponent has personally insulted one of the debaters, has made an offensive or tasteless comment, or has grievously misconstrued another's words or arguments. The Speaker will then rule on whether or not the comments were acceptable. The time used to state and address a point of personal privilege will not be deducted from the speaking time of the debater with the floor. Like a point of order, a point of personal privilege is a serious charge and should not be raised for minor transgressions. Debaters may be penalized for raising spurious points of personal privilege.

Proposed change: Delete the language.

Justification: These points are almost always "taken under consideration." In other words, they are merely disruptive of the proceedings and are not subject to an immediate ruling from the chair. This is even more the case in elimination rounds, in which a speaker is unlikely to speak for the other judges on a panel. In addition, if the speaker of a multiparty panel does try to include other judges in the deliberation or commentary of a point, the inclusion of 3 or more voices during a debater's speech, particularly a rebuttal, is

so extraordinarily disruptive of the flow of the speech that an opposing team tactically 'wins' many points, even when the ruling is not in their favor.

These points cause considerable confusion in the debate. A debater does not often know how to proceed on arguments that are "taken under consideration." Debaters do not know if they ought to counter every instance of a potentially new argument in a rebuttal speech. If they do not counter an argument with a point of order, does this mean the judge should not recognize it as a new argument? If they counter two new arguments in a rebuttal with points of order, are they unable to make more points (and, perhaps, seem disruptive) or will the judge presume that the team is conceding that other issues are not new to the debate? And, in replying, for example, that a point is "well taken," is a judge indicating that no other argumentation can be made on the point or only that the present articulation of the argument seems new? Points of privilege are even more infrequently used and almost exclusively disruptive, having little to do with the substance of a debate.

It seems that debaters ought to advance arguments in their speeches and judges can 'take into consideration' anything that is relevant for decision-making at the conclusion of the debate without the intrusion of frequently unnecessary and often confusing points of order and privilege.

--John Meany, Claremont Colleges

L--An amendment to provide additional information regarding tournament success.

An amendment to Bylaw XII: Tournament Operating Procedures. Section I. Awards. Subsection (6) Season Sweepstakes.

Add an additional subsection (d) with the following language:

The NPDA will certify sweepstakes results, based on the criteria outlined in the NPDA Constitution, Article VII, in each of the following categories:

Overall, Varsity, Junior Varsity, and Novice. The NPDA will publish a sweepstakes ranking of the top twenty-five (25) schools and the top ten (10) two-year colleges on the NPDA website.

Justification: This sweepstakes certification increases the information with which programs are able to provide promotional information, both within a college or university and to outside individuals and groups. It provides recognition for students in their competitive divisions. It increases the number of recognized schools, an important consideration as the organization continues to expand. It will not increase costs, as there is no formal award other than official sanction by the NPDA of annual rankings.

--John Meany, Claremont Colleges

M--An amendment to create a judge training session.

Amendment to Bylaw XII: Tournament Operating Procedures. Section (A) Tournament Staff.

Proposed addition: It is the responsibility of the tournament director to establish a time and location for judge training during the administration of the national tournament. The tournament director will select one or more representatives to conduct training sessions regarding tournament rules. Participating judges must attend the training session to judge at the tournament. If a judge has previously participated in a training session at the national tournament, the judge may receive a waiver for future training sessions, with the exception of a training seminar for any rules changes from the previous training session. Schools are responsible for hiring judges to replace any of their judges failing to attend the training session.

Justification: This procedure will familiarize judges with the rules for the national tournament and permit questions and exploration of the scope of established rules.

--John Meany, Claremont Colleges

N--An amendment with regard to judges.

Amendment to Bylaw XII: Tournament Operating Procedures. Section (G) Judge Assignment.

All adults ineligible to compete at the national tournament are eligible to judge the event. The tournament may not make any notation on a judge or strike list indicating a special status for judges, including first year judging.

Justification: This will allow qualified individuals to judge at the national tournament, without discriminatory status references (e.g., "first year out" or "Irish").

--John Meany, Claremont Colleges

O--An amendment with regard to tournament disclosure.

An amendment to Bylaw XIII: Tournament Rules. Rules of Debating and Judging. Section 5. After the Debate.

Proposed addition: After the completion of tabulation for each preliminary round of debate and the announcement of the subsequent preliminary round of debate, for round 1-7, the tournament director or designated representative will post the win/loss and individual speaker results of the preceding debates, in a conveniently located room or public space.

Justification: This addition will provide tabulation transparency for the event, increasing accountability, improving communication about practice, and providing a secondary check on results accuracy.

--John Meany, Claremont Colleges

P--An amendment with regard to judge decision disclosure.

An amendment to Bylaw XIII: Tournament Rules. Rules of Debating and Judging. Section 5. After the Debate.

Proposed change: Delete sections 5a, 5b, and 5c.

Current text:

5A. After the final rebuttal, the Speaker of the House will dismiss the teams, complete the ballot and return it to the tournament director. The judges should not give oral comments before the ballot is completed and returned to the tournament director.

5B. After returning the ballot, the judge may, at his or her discretion, give brief constructive comments to the debaters. Judges should refrain from announcing the decision. After these comments, debaters and coaches will refrain from seeking further information about the debate from the judge.

5C. Debaters or coaches will refrain from requesting that judges reveal decisions. Debaters or coaches who harass judges for information may be withdrawn from the tournament on a two-thirds vote of the Tournament Committee.

Amended wording: At the completion of each preliminary and elimination round of debate, judges are required to verbally announce their decision. The judge will be given a three minute period of time to explain the decision of the debate. Immediately following the announcement of the timed three minute period, judges must return ballots to the tabulation staff. Judges may engage debaters regarding decisions after ballots are delivered to the tournament staff. Judges must announce decisions but debaters are under no obligation to listen to decisions. Debaters may be excused from the competition room at their request prior to the announcement of the decision. Students and Coaches should avoid harassing critics regarding decisions.

Justification: Decision disclosure is a tool for judge education and consistent decision-making; a guide for improved practice for participants; a move to open communication in a critical community; a legitimate check on unaccountable decision-making; a needed secondary check on tournament tabulations; and a means to promote fairness in disclosure (a method to eliminate problematic 'selective' disclosure).

--John Meany, Claremont Colleges

Adjournment