

**SNATIONAL PARLIAMENTARY DEBATE ASSOCIATION  
BUSINESS MEETING**

**Wednesday Nov. 9, 2016: 12:00 PM – 4:00 PM**

**Independence Room, The Westin Philadelphia**

**AGENDA**

**I. Call to Order**

**II. Approval of Minutes (Spring 2016)**

**III. Reports** (See reports online, where applicable. Short reports, as needed, will be presented orally at the meeting. Executive Reports and Committee Reports, **where possible** will be posted on the NPDA website 10 days before the meeting.)

- A. Executive Council
- B. Committees
  - i. Finance Committee
  - ii. Site Committee
  - iii. Additional Committees as Needed
- C. Tournament Director
- D. Other reports: NPDA Journal

**IV. Action Items**

**A. Season Sweepstakes Awards**

**1. Rationale** - NPDA currently offers only “guidelines” about divisions of competition for regular season tournaments. This creates substantial ambiguity in terms of what qualifies or disqualifies a team from participating in a novice and/or junior division at any given tournament. As a consequence, programs have a competitive incentive to stretch the eligibility of their competitive teams at various divisions below open to achieve higher season long rankings. This practice both undermines the pedagogical value of novice and junior divisions and damages the integrity of the season-long ranking system used by NPDA. The proposed change creates a competitive disincentive for maintaining teams at a lower division beyond the period of time when their learning can best be supported in that environment. Additionally, a competitive disincentive is a more reasonable method of addressing this issue than changing divisional “guidelines” into “requirements,” which would create an extraordinary burden for the Executive Secretary who would be charged with determining the divisional eligibility of hundreds of teams.

**2. Current Bylaw (III.B.1-2) versus Proposed Bylaw (III.B.1-2):**

## **A. Current Bylaw**

1. Points will be accumulated for sweepstakes according to the following formula:

1. Teams will receive a preliminary round point total equal to the decimal percentage of preliminary rounds won, multiplied by five. Preliminary round point totals will be calculated to two decimal points. Teams will accrue two points for a win for the all elimination rounds that meet NPDA sweepstakes specifications.

2. Each of the four teams for which a school receives credit toward season long sweepstakes at a sanctioned tournament will receive at least one point, even if they win no debates at all.

## **B. Proposed Bylaw (III.B.1-2):**

1. Points will be accumulated for sweepstakes according to the following formula:

1. Teams will receive a preliminary round point total equal to the decimal percentage of preliminary rounds won, multiplied by five. Preliminary round point totals will be calculated to two decimal points. Teams will accrue two points for a win for the all elimination rounds that meet NPDA sweepstakes specifications. *Once these points are calculated, the following multiplier will be applied based on the division of competition in which each team participated: Novice = .50, Junior = .75, Open = 1.0.*

2. *Regardless of division, each of the four teams for which a school receives credit toward season long sweepstakes at a sanctioned tournament will receive at least one point, even if they win no debates at all.*

## **V. Discussion Items**

**A. Sexual Harassment and Violence Policy Changes and change to TOP.  
(See Below)**

## **VI. New Business**

## **VII. Adjournment**

## VI. Sexual Harassment and Violence Policy:

### A. Introduction

Preamble: The National Parliamentary Debate Association (NPDA) promotes parliamentary debate as a contest of knowledge, wit and argumentation conducted in a setting of civility and mutual respect. All eligible, qualified members should have access to debate activities without regard to race, color, religion, age, sex, national origin, sexual orientation, gender identity or expression, disability, use of a service animal, or any other characteristic or trait protected by state or federal law. These principles should guide the behavior and conduct of all members of and participants in the organization.

While this policy is largely directed at sexual discrimination, sexual harassment *and/or sexual violence*, the principles herein shall be considered a model for dealing with all forms of harassment *and/or violence*.

This policy is intended to eliminate specific behaviors and address concerns which may arise while participating in NPDA events and activities and to provide a forum for resolution of conflicts.

This policy supplements, but does not replace the institutional policies of each participant's school and the applicable federal and state laws.

#### 1. Debate, Free Expression and Harassment

Academic debate provides a forum for the expression, criticism and discussion (and for the tolerance) of a wide range of opinions. Participants are encouraged to develop skills in reasoned and supported argument while avoiding the pitfalls of faulty argument. Academic debate is not a license for demeaning actions and the NPDA does not tolerate harassment. Any participant who suffers discrimination or harassment as part of an NPDA event or activity is denied an equal opportunity to work, learn and grow in the arena of academic debate.

#### 2. Sexual Harassment and/or Sexual Violence

Sexual Harassment is unwelcome verbal, nonverbal, or physical conduct of a sexual nature that is sufficiently severe or persistent or pervasive such that it unreasonably interferes with, limits or deprives someone of the ability to participate in or benefit from participating in NPDA's educational events and activities. The unwelcome behavior may be based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation. A single instance of sexual assault may be sufficient to constitute a hostile environment.

The NPDA will rely on the EEOC's definition and other relevant legal definitions of harassment to guide its implementation of this policy. The complainant's perceptions are an important factor in determining whether specific conduct meets the definition listed above. In addition, it is important to recognize that other factors (e.g., supervisory authority, power relationships, etc.) may affect the relationships between the complainant and the accused and that these factors can compound the degree of threat or potential harm perceived in a situation.

#### 3. Other Forms of Harassment

Like sexual harassment, harassment because of a race, color, religion, age, sex, national origin, sexual orientation, gender identity or expression, disability, use of a service animal, or any other characteristic or trait protected by state or federal law will not be tolerated. In general, slurs, jokes and other verbal or physical conduct relating to a person's race, color, religion, age, sex, national origin, sexual orientation, gender identity or expression, disability, use of a service animal, or any other characteristic or trait protected by state or federal law constitute harassment when they are sufficiently severe or persistent or pervasive such that it unreasonably interferes with, limits or deprives someone of the ability to participate in or benefit from participating in NPDA's educational events and activities.

B. Addressing and reporting harassment and/or violence at the NPDA National Championship Tournament or concerning members of the NPDA Executive Council.

1. The NPDA harassment policy shall apply to discrimination and harassment complaints that arise during the NPDA Championship Tournament or from actions taken by officials or employees of NPDA acting at any time in their official capacities.
2. Participants in the NPDA Championship Tournament who are affiliated with an academic institution are also subject to that institution's policies, procedures, rules, and regulations related to harassing conduct, reporting such conduct, and/or addressing such conduct and taking steps to eliminate its recurrence.
3. Individuals who believe that they are being discriminated against or harassed and cannot or do not wish to resolve the matter informally should promptly report the complaint to the Sexual Harassment Officer (SHO), who shall be appointed annually by the President of the National Parliamentary Debate Association. The name and contact information for the SHO may be found on the Association's web site.
4. Individuals who are aware of another individual being discriminated against or harassed should inform the SHO. NPDA officers, judges, and employees who are aware of another individual being discriminated against or harassed are required to inform the SHO.
5. If reporting the matter to the SHO would prove to be uncomfortable or if the individual is not satisfied with the SHO's handling of the complaint, the individual should promptly bring the matter to the attention of any other member of the NPDA Executive Council (including the NPDA President, Vice-President, Treasurer, or Executive Secretary).
6. The SHO and/or a member of the Executive Committee (in cases where the party advancing the complaint is uncomfortable reporting to the SHO, or the SHO has a conflict of interest) shall promptly investigate all allegations of discrimination and/or harassment in as confidential a manner as possible. An appropriate institutional representative of the complainant's institution and the institution of the accused will be informed of the investigation.
7. The SHO, or the designated member of the Executive Committee, shall, in consultation with the NPDA President, determine what, if any, remedial action should be taken. Depending on the totality of the facts, possible sanctions may include, but not be limited to, any of the following: constructive efforts that assure the offense behavior does not reoccur; oral reprimands; written reprimands to be sent to directors of forensics and/or Deans of Faculty or Students and/or College

or University Presidents; removal from future participation at the National Tournament and/or other NPDA events and activities (including competing, judging, or observing such events); removal of NPDA points; or suspension of membership in NPDA.

8. Under no circumstances will an officer, agent, employee or member of the Association be allowed to threaten or retaliate against anyone who in good faith alleges unlawful harassment or discrimination or who participates in the investigation of such a complaint.
  9. In the event of a report of harassment, including a report received under the procedures outlined in Section C of this policy, care shall be taken, guided by the totality of the facts, during and after the investigatory process to reduce the potential for future incidents of harassment as defined above, as well as to ensure that complainants and accused are not forced in proximity to one another as part of the competitive experience. These measures include, but are not limited to:
    - a. The tabulation room will automatically grant a constraint to ensure that complainants are not judged by an accused individual.
    - b. The tabulation room will take care to ensure that, inasmuch as possible, complainants are not forced to debate against an accused individual.
    - c. The President of NPDA may also issue “no contact” directive for the tournament with which participants must comply to maintain eligibility. Those who willfully violate the no contact directive at the tournament may be subject to sanctions as outlined in B.7.
10. Appeals of NPDA decisions regarding sexual harassment complaints are limited to questions of proper process. Such appeals shall be directed in writing to the full Executive Council. Such appeals are not automatic.

#### C. Addressing and reporting harassment and/or violence that has occurred outside of the NPDA National Championship Tournament.

1. Individuals who believe that they are being discriminated against or harassed outside the NPDA National Championship tournament, and cannot or do not wish to resolve the matter informally, should promptly report the complaint by submitting a formal complaint utilizing the form available here: [INSERT LINK](#).
  - a. Upon receipt of a formal complaint, NPDA will transmit the complaint to the Title IX offices/coordinators or appropriate officer of all schools relevant to the complaint (including the host school if an alleged event occurred at an invitational tournament).
  - b. NPDA will also contact the institution of the individual accused of misconduct requesting further information on the ability of that individual to represent the institution in intercollegiate parliamentary debate competitions (a “verification of clearance”). This verification request will not provide or solicit information about the substance of the complaint, but will require the institution to verify that the individual is cleared to participate in intercollegiate debate events on behalf of the institution.
  - c. These, and all other actions described below, shall be the responsibility of the NPDA President or their designee. NPDA officers involved in such proceedings will exercise care to maintain, where possible, the confidentiality of individuals involved in such actions.

2. Investigatory responsibility for a complaint of harassment that has occurred outside of the NPDA National Championship Tournament will rest with the Title IX compliance offices/compliance coordinators or appropriate officer of relevant home institutions.

- a. After 14 business days have elapsed from the time that NPDA transmitted the complaint to the institution, NPDA will again contact the Title IX compliance offices/compliance coordinator or appropriate officer at the institution of the individual accused of misconduct. NPDA will request that the verification of clearance request be completed and returned.
- b. Unless a written verification of clearance has been signed and transmitted to NPDA by an appropriate representative of the home institution, individuals accused of misconduct will not be allowed to attend or participate in parliamentary debate activities beginning 14 business days after the complaint has been sent to the institution.
- c. Should a Title IX compliance office/compliance coordinator or appropriate officer not respond to the request of NPDA, NPDA will presume that clearance has not been authorized and individuals accused of misconduct will not be allowed to attend or participate in parliamentary debate activities beginning 14 business days after the complaint has been sent to the institution.
- d. Directors shall be notified of the individual's status immediately after the 14 days have elapsed or after other information has been received from the Title IX compliance office/compliance coordinator or appropriate officer indicating that the individual is ineligible to represent the institution in intercollegiate parliamentary debate activities. Should the complaint be against a director of a program, the notification shall be provided to the department chair.
- e. Because Title IX investigations and/or other investigations of harassment should occur within a 60 day time period, NPDA will re-send the verification of clearance request 70 business days after the complaint has been sent to the institution of the accused to determine if the individual has been cleared to represent the institution in intercollegiate parliamentary debate activities.
- f. An individual's ability to attend and participate in intercollegiate parliamentary debate activities and events can be reinstated at any point once the verification of clearance has been received from the institution. If no verification of clearance is received for an individual who is the subject of a complaint under the processes listed above, the individual shall not be eligible to attend or participate in parliamentary debate competitions until a verification of clearance has been received by the NPDA.

3. In the event that a complaint is made against an individual who is no longer affiliated with an institution at the time the complaint is made, a record will be kept of the complaint.

- a. Should the individual accused affiliate with an institution at a later date, NPDA will confirm with the complainant whether he or she wishes to proceed with his or her complaint.
- b. If the complainant wishes to proceed, the organizations will start the process as stated above and transmit the complaint to the relevant Title IX compliance offices/compliance coordinators or appropriate officer.

4. Individuals under this section for whom no verification of clearance has been received, and their affiliated programs as specified below, will be subject to the following sanctions until a verification of clearance has been received by the NPDA.

- a. Individuals under this section for whom no verification of clearance has been received shall not be eligible to attend or participate in NPDA debate competitions in any capacity,

including, but not limited to, administering, competing, judging, on-site coaching and/or observing as a spectator.

b. Individuals under this section for whom no verification of clearance has been received will not be allowed to attend the NPDA Championship Tournament in any capacity and will be asked to leave the premises if they attempt to attend.

c. Programs that bring an individual against whom a complaint has been made and for whom no verification of clearance has been received to any parliamentary debate tournament in any capacity shall not receive NPDA sweepstakes points for any of their teams attending the tournament.

d. Should it come to the attention of the NPDA that an invitational tournament is hiring an individual against whom a complaint has been made and for whom no verification of clearance has been received as a judge, the NPDA will communicate the status to the invitational tournament. Should the judge not be removed from the judging pool, the host school shall not receive NPDA points for any of their teams attending the tournament and shall not be eligible for NPDA sanctioning in the next academic year.

5. NPDA sanctioned tournaments may consult the NPDA to create accommodations similar to those identified in Section B.9 of this policy.

#### D. Organizational Cooperation

In the event that NPDA receives a complaint pursuant to this policy, information, including complaints and verification of clearance, will be shared as necessary and legally permitted with the National Parliamentary Tournament of Excellence. Each organization will make independent determinations regarding appropriate sanctions.

**IN ADDITION TO THESE CHANGES, THE FOLLOWING ADDITION WOULD BE MADE TO THE NATIONAL TOURNAMENT OPERATING PROCEDURE (PART OF BYLAWS: SECTION VIII.F.**

### **ADDITION**

**3. *Judges who desire to be hired as a tournament judge at the NPDA Championship Tournament must obtain the sponsorship of a member institution.***

***a. No individual against whom a complaint has been made and for whom no verification of clearance has been received, as outlined in Section VI of this document, shall be eligible for such sponsorship or to participate in the NPDA Championship Tournament.***

***b. Should a complaint be made against an individual who is listed as a tournament judge prior to the Championship Tournament, NPDA will contact the debate program of the sponsoring institution. At this time, the program may remove their sponsorship of that individual and they will be removed from the judging pool by the tournament director.***

***c. If a program elects not to remove sponsorship after notice of a complaint, the NPDA will implement the procedures identified in Section VI.C above. In the event a verification of clearance is not received prior to the commencement of the National Championship Tournament, the judge will be removed from the pool of potential judges and barred from participation in the tournament.***