



## Minutes

### Board of Directors

**Saturday, March 25-Sunday March 26, 2023 (Including Email Vote on March 28, 2023)**

**Board Members in Attendance:** Denise Shively, Irene Hawes, Ashley Johnson\*, Chris Leahy, Jocilyn Sayler, Kimberly Kohut (non-voting; Secretary), Emmanuella Tchakmakjian (AEC President)\*, Stacey Chapman, Kerhyl Gannt, Jennell Lynch, Joanne Pasternack\*, Jennifer Jarboe, Claire Barton (Athlete At-Large), Bill May (General Athlete Representative), Natalia Vega (General Athlete Representative), Monica Velazquez-Stiak (AAC alternate; non-voting, but voting this meeting)\*, Morgan Fuller Kolsrud (USOPC AAC leadership team; non-voting)\*\*

**\*\*Saturday Only**

**\*Sunday Only**

**Staff Members in Attendance:** Adam Andrasko

**Others:** David Patterson (USOPC), Dale Neuberger (AQUA Treasurer)

**Excused:** Mariya Koroleva

**Called to Order At:** 5:46 PM CDT

BY: Denise Shively. A quorum was declared.

<b>Topic</b>	Declaration of Conflicts of Interest	<b>Presented by</b>	Denise Shively
<b>Discussion</b>	Denise Shively called for any additional conflicts of interest to be declared. No additional conflicts of interest were declared.		

<b>Topic</b>	Approval of Minutes from 1.25.23, 2.27.23, and 3.13.23	<b>Presented by</b>	Denise Shively
<b>Discussion</b>	<p><b>Motion:</b> Irene Hawes motioned to approve the minutes from the Board of Directors meeting on January 25, 2023</p> <p><b>Seconded by:</b> Jennell Lynch</p> <p><b>Motion approved.</b></p> <p><b>Vote: Yes-12 No-0 Abstain-0</b></p> <p><b>Motion:</b> Stacey Chapman motioned to approve the minutes from the Board of Directors extraordinary meeting on February 27, 2023</p> <p><b>Seconded by:</b> Chris Leahy</p> <p><b>Motion approved.</b></p> <p><b>Vote: Yes-12 No-0 Abstain-0</b></p>		

	<p><b>Motion:</b> Chris Leahy motioned to approve the minutes from the Board of Directors extraordinary meeting on March 13, 2023</p> <p><b>Seconded by:</b> Stacey Chapman</p> <p><b>Motion approved.</b></p> <p><b>Vote: Yes-12 No-0 Abstain-0</b></p>
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<b>Topic</b>	Succession Planning	<b>Presented by</b>	David Patterson
<b>Discussion</b>	<ul style="list-style-type: none"> <li>- David Patterson gave a presentation to the Board of Directors about planning for the future and developing succession plans for committees and directors</li> </ul> <p>The meeting will continue tomorrow morning...</p>		

<b>Topic</b>	International Presentation	<b>Presented by</b>	Dale Neuberger
<b>Discussion</b>	<p>Meeting resumed at 8:09 AM CDT</p> <ul style="list-style-type: none"> <li>- Dale Neuberger presented to the Board of Directors regarding the international structure of the large organization. Also, he reminded the Board of directors that we are 1 of 50 organizations in the United States of America that are governed by federal law because of the Ted Stevens Act.</li> </ul>		

<b>Topic</b>	Gender Inclusion Policy	<b>Presented by</b>	Ashley Johnson
<b>Discussion</b>	<p>-Discussion continued from the tabled motion from March 13, 2023 meeting.</p> <p>-The following options were discussed:</p> <p><i>Option 1</i></p> <p><i>Open Duet (no restrictions)</i></p> <p><i>Mixed Duet (one athlete identifies as man, one woman)</i></p> <p><i>Inclusive (one or more athlete does not identify as any gender)</i></p> <p><i>Pros: 1) Athletes are not required to disclose their gender identity if they are not interested in doing so. 2) By definition it is the most open we can be.</i></p> <p><i>Cons: 1) Challenge to explain the difference in open duet and inclusive duet to membership. 2) There is not category that is girl/women specific which does not protect the "fairness" of that event if a boy/man were to enter 3) Does not fully align with our solo event definitions</i></p>		

*Option 2*

*Open Duet (no restrictions)*

*Mixed Duet (one athlete identifies as man, one woman)*

*Pros: 1) Athletes are not required to disclose their gender identity if they are not interested in doing so. 2) Easier than option one to explain to members as there is no inclusive category. 3) Having only two categories minimizes event time and cost of medals, vs option 1 and 3 (time and cost would currently be minimal to no increases, but could be in the future).. 4) By definition more open than option 3. 5) Is currently the "status quo."*

*Cons: 1) Does not align with our solo event definitions 2) There is not category that is girl/women specific which does not protect the "fairness" of that event if a boy/man were to enter 3) By definition, less open than option 1. 4) More challenging to communicate to members that this is what we currently have available to athletes.*

*Option 3*

*Girl/Women Duet (both athletes identify as a woman)*

*Boy/Man Duet (both athletes identify as a man)*

*Mixed Duet (one athlete identifies as man, one woman)*

*Inclusive Duet (one or more athlete does not identify as any gender)*

*Pros: 1) Clearly defines who can compete in each category, making it easier than option one and two to explain to members. 2) Protects the "fairness" of all gender categories with the opportunity to express all gender types 3) Aligns most closely with our solo categories. 4) Best prepares us for boy/men participation.*

*Cons: 1) Requires athletes to state their gender identity 2) By definition, the least open option. 3) Having four categories increases event time and cost of medals (time and cost would currently be minimal to no increases, but could be in the future).*

**Motion:** Irene Hawes motioned to amend the original motion to substitute Option 3 for the duet category.

**Seconded by:** Chris Leahy

**Discussion Points:**

- Our recommendation is to have the Boy/Man and Inclusive Duet follow Duet rules
- Board of Directors agree to evaluate the policy annually before convention
- Housekeeping: Change Inclusive to be Gender Inclusive
- Email vote on Final Language by Wednesday, March 29, 2023

**Motion approved.**


**Vote: Yes-13 No-0 Abstain-0**

	<p><b>Email Vote March 28, 2023</b></p> <p>The Board of Directors voted on the original motion from February 27, 2023 as amended.</p> <p>Several housekeeping items were addressed by Adam Andrasko</p> <p><b>Motion approved.</b></p> <p><b>Email Vote: Yes-14 No-0 Abstain-0 Did Not Vote-0</b></p>
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<b>Topic</b>	President's Report/CEO Report	<b>Presented by</b>	Denise Shively/Adam Andrasko
<b>Discussion</b>	<p>Additional action items or reports?</p> <ul style="list-style-type: none"> <li>- Jocilyn Sayler asked for the Board of Directors to allow her to work with Betty Hazle to make the language say what we intend in the membership requirements section</li> <li>- The idea of a consent agenda was purposed and members liked the idea of moving forward with consent agendas</li> <li>- Priorities for the Board of Directors to address:             <ol style="list-style-type: none"> <li>1) Board of Director structure</li> <li>2) Committee structure and responsibilities</li> <li>3) Mapping engagement with sport</li> <li>4) Growth strategy for membership</li> <li>5) Big Hairy Audacious Goal</li> </ol> </li> </ul> <p>Closing Remarks</p>		

<b>Adjournment at</b> 11:33 AM CDT		
<b>Moved to adjourn by:</b> Christ Leahy	<b>Seconded by:</b> Irene Hawes	<b>Motion Approved</b> <b>unanimously</b>

Respectfully Submitted,



Kimberly A. Kohut  
Secretary



## Gender Inclusion Policy

Approved by the USA Artistic Swimming Board of Directors

3/29/2023

The following is USA Artistic Swimming's (USAAS) gender inclusion policy for members, member clubs and events. These practices are consistent with USAAS's values of equitable opportunity and the unequivocal right to participate in sport.

USAAS policy does not take precedence over state law. [Know the law in your state](#). Most state restrictions are based on publicly funded programs and events (primarily focused on high school and collegiate sports).

### **Definitions (as defined by Gay and Lesbian Alliance Against Defamation, GLAAD):**

Cisgender: a person whose gender identity is aligned with the sex they were assigned at birth

Gender identity: a person's internal, deeply held knowledge of their own gender

Gender expression: external manifestations of gender, often expressed through a person's name, pronouns, clothing, haircut, voice, and/or behavior

Nonbinary: a person whose experience their gender identity and/or expression as falling outside the binary gender categories of man and woman

Sex at birth: Infants are assigned a sex at birth, male or female, based on their external anatomy

Transgender: a person whose gender identity differs from their sex assigned at birth

### **Policy:**

USAAS promotes an environment in which athletes can participate in our sport without the fear of harassment or discrimination, as described within the [Athlete Bill of Rights](#). USAAS strongly believes that gender identity, expression and sex variation should never hinder the participation of a member in all aspects of the organization. These members shall participate fairly, safely, and equitably without prejudice at all USAAS sanctioned and owned events. USAAS prioritizes diversity and inclusion in all aspects of the sport and is committed to providing a safe, supportive and welcoming environment for athletes regardless of gender identity.



USAAS will operate within the gender-based categories defined here. Athletes of all gender identities have the choice to participate in all USAAS sanctioned and owned events in the category which they feel most closely aligns with their gender identity. Participants do not need to and will not be asked to provide evidence of hormone treatment or surgical intervention.

**Solo Categories:**

Girl/Woman Solo (athlete who identifies as a girl/woman)

Boy/Man Solo (athlete who identifies as boy/man)

Gender Inclusive Solo (open to athletes who do not identify as girl/woman or boy/man)

**Duet Categories:**

Girls/Women Duet (both athletes identify as a girl/woman)

Boys/Men Duet (both athletes identify as a boy/man)

Mixed Duet (one athlete identifies as boy/man, one girl/woman)

Gender Inclusive Duet (one or more athlete(s) who do not identify as girl/woman or boy/man)

All other categories (i.e. Team events) are open (no gender restriction)

**International Competition/National Team**

World Aquatics ([AQUA](#)) - AQUA's current policy requires transgender athletes to undergo monitoring and comprehensive medical examinations in addition to proving medical intervention prior to the age of 12. Should an athlete accept a position on one of our national team programs, they must adhere to AQUA legislation for participation in their sanctioned events.

**Participation Practices:**

- The events categories are:
  - Solo – Girl/Woman Solo, Boy/Man Solo, Gender Inclusive Solo
  - Duet – Girls/Women Duet, Mixed Duet, Boys/Men Duet, Gender Inclusive Duet
- Open inclusion of all athletes in team routines (team routines include: technical, free, acrobatic, combination and trios).
- Athletes can disclose their gender identity and their preferred category of competition for each event they participate in. If an event has a qualifying requirement (i.e. national championships) the category that an athlete qualified in will be the category that they must compete in at the next level event.
- All categories are to be offered at USAAS sanctioned and owned events



### **Policy Implementation Information:**

Measures will be put into place by member clubs at USAAS sanctioned and owned events to ensure members have an environment and facility that is welcoming regardless of any member's gender identity. This includes but is not limited to providing a non-binary designated changing space and rest room facility when possible. (example: a family bathroom or designated bath room that allows space within it to change)

USAAS will work to advance inclusion and prevent discrimination based on gender identity and/or sex variations through educational training.

USAAS does not support the use of medical analysis, treatment or exams to determine competitive and non-competitive eligibility for domestic programs.

Eligibility criteria for a gender category will not include gynecological or physical examinations or documentation of such exams to compete.

USAAS will promote and support the athlete's ability to communicate and provide opportunities to discuss their competitive future at any level of the organization.

Health information is considered private and shall not be disclosed to others unless permission has been granted by the member or adult representative of the minor member for travel safety and emergency medical care.

USAAS will pilot an inclusive competitive option at the U.S. Junior Olympic Championship and the U.S. Masters Championship in 2023. In 2023, athletes competing in the boys/men duet, gender inclusive solo and gender inclusive duet categories may do so without qualifying through regional championships, but must meet all other requirements (e.g. hold a current membership, grade level 2, etc.)

In 2024, all categories will be offered at all USAAS sanctioned and owned events. Qualification standards will apply to all categories for U.S. Collegiate Championship, U.S. National Championship, U.S. Junior Championship, U.S. Youth Championship and U.S. Junior Olympic Championship for 2024 and beyond.

USAAS Board of Directors will provide the written policy to the Rules Committee and ask that specific rules be developed for participation in the gender inclusive solo and duet categories.



The USAAS Board of Governors will then have an opportunity for discussion at the 2023 USAAS Annual Meeting prior to adoption for 2024 competitions. For 2023 the boys/men duet and gender inclusive duet will compete using duet rules as defined by the rulebook. The USAAS Board of Directors has recommended to the rules committee that this be maintained for 2024 events.

This document was developed to confirm the opportunities available to all athletes who choose to participate in any USAAS sanctioned and owned event. Should an athlete require a more specific accommodations for inclusion based on gender identity, USAAS will facilitate a review of individual cases. A request for review should be sent to the national office at [memcoord@usaartisticswim.org](mailto:memcoord@usaartisticswim.org). An evaluation of the request will be completed by the VP DEI, VP of Competitive Programs and AEC President to determine the best gender inclusive practices.

If there are any requests for guidance you can contact the national office at [memcoord@usaartisticswim.org](mailto:memcoord@usaartisticswim.org) or call 719-866-2219

Violation of this policy will be subject Appendix P and K of the [USAAS Rulebook](#).