

**American Canoe Association
GAMES STAFF SELECTION PROCEDURES
Pan American Games 2023
Sprint
August 10, 2023**

These procedures provide for selection of the American Canoe Association (ACA) Games Staff for the 2023 Pan American Games. However, accreditation allocation is not guaranteed and will be based on final USOPC credential allocation and overall team size. Responsibility of payment for allocated accreditations will be determined by the USOPC and the ACA.

1. List of specific Games Staff position(s) that the ACA is requesting:

Games Staff Role	Responsibility
Head Coach (2); Assistant Coach (1)	Prepare athletes/teams for success on the field of play.
Team Leader (1)	Serve as primary point of contact and liaison between the USOPC and the ACA before, during and after the Games.

2. ACA's criteria for the above-listed Games Staff position(s) (attach a job description, if any):

All Games Staff Must:

- 2.1. Undergo a background screen in accordance with the current [USOPC Games Background Check Policy & Procedures](#) prior to nomination.
 - 2.1.1. Should a nominee experience any event between the time the background check is conducted and the relevant Games that may change his/her background check status, the nominee must inform the ACA and/or the USOPC.
- 2.2. Possess a valid passport that does not expire until at least six months after the conclusion of the Games.
- 2.3. Have the ability to work effectively with the USOPC.
- 2.4. Have strong administrative, communication and organizational capabilities/skills as applicable for the specific role.
- 2.5. Be responsible for Team's adherence to all rules regarding personal conduct at the Games.
- 2.6. Fulfill all duties and requirements of the USOPC including attendance at USOPC Games related meetings, as applicable.
- 2.7. Be available for the entire duration of the Games, if requested.
- 2.8. Have ACA's approval prior to making any financial decisions regarding the Team.
- 2.9. Possess high level, specific technical and tactical knowledge of the sport as needed for the specific role.
- 2.10. Have thorough knowledge and understanding of the IF rules and regulations governing the sport as needed for the specific role.

- 2.11. Demonstrate ability to establish harmonious relationships with athletes and other Team personnel.
- 2.12. Be in good health and able to withstand the physical rigors of traveling with and working with the Team.
- 2.13. Be listed on ACA's Long List.
- 2.14. Successfully complete all Games Registration requirements by stated deadlines.
- 2.15. Participate in the appropriate anti-doping training as required for the Games Staff position by stated deadline.
- 2.16. Successfully complete the appropriate U.S. Center for SafeSport's online training module(s) by stated deadline.
- 2.17. Have demonstrated the ability to represent the ACA in a positive and professional manner.
- 2.18. Be in good standing with the USOPC, U.S. Center for SafeSport, ACA, IF, and USADA.

In addition, Coach(es) must:

- 2.19. Possess a high level of specific technical and tactical knowledge of the sport.
 - 2.20. Have relevant coaching experience working with athletes named to the Team.
 - 2.21. Have coached athletes at World Cups, World Championships and/or Olympic Games.
3. Method of identifying the pool and selecting the candidates to be considered for the Games Staff position(s):

ACA will not solicit applications for any Games Staff Positions. All Games Staff positions will be filled by current ACA employee(s) and/or contractor(s). The Head Coach positions will be filled by the current National Team Coaches. If filled, the Team Leader position and Assistant Coach position will be filled by ACA staff or contractors.

4. Describe the removal of Games Staff:

An individual who is nominated to the above-listed Games Staff position(s) by ACA may be removed as a nominee for any of the following reasons, as determined by the ACA.

- 4.1 Voluntary withdrawal. Games Staff nominee must submit a written letter to the ACA Executive Director.
- 4.2 Injury or illness as certified by a physician (or medical staff) approved by the ACA. If the individual refuses verification of his/her illness or injury by a physician (or medical staff) approved by the ACA, his/her injury will be assumed to be disabling and he/she may be removed.
- 4.3 Inability to perform the duties required.
- 4.4 Violation of the ACA's Code of Conduct (<https://americancanoe.org/wp-content/uploads/2022/07/Member-Code-of-Conduct-final-07252022.pdf>).
- 4.5 Removal from employment position as either an Independent Contractor or employee of ACA.

- 4.6 No longer able to meet the required criteria in Section 2 at the time of the Games.

Once the Games Staff nomination(s) is accepted by the USOPC, the USOPC has jurisdiction over the Games Staff, at which time, in addition to any applicable ACA Code of Conduct, the USOPC's Games Forms apply. The USOPC's Games Forms are available as part of Games Registration prior to the respective Games.

5. Replacement of Games Staff:

In the event a Nominated Games Staff member is unable to perform the duties of the position(s) for injury, illness, Code of Conduct violation or any other unforeseen circumstances that would result in the need to replace him/her, the replacement candidate must meet all of the applicable criteria listed in Section 2 above and be selected through the same process as outlined in Section 3.

6. Group/committee that will make the final approval of the Games Staff position(s):

Final approval of all Games Staff nominations will be provided by the ACA Executive Director, High Performance Manager, and AAC Athlete Representative.

7. Conflict of Interest:

All individuals involved in the selection process (see Section 6) must comply with the ACA conflict of interest policy (Attachment A), to include completing and submitting a disclosure form for review by the ACA's ethics committee prior to beginning the selection process.

An individual involved in the selection process who has an actual, possible, or perceived conflict of interest must disclose it to the ACA's ethics committee prior to the start of the selection process. The ACA's ethics committee shall review the disclosure and determine the individual's level of involvement (e.g., whether he/she must recuse him or herself from the review process and/or voting). Any recused individual shall be replaced in accordance with the ACA committee appointment process.

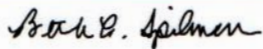


8. Date of Nomination:

Nominations of Games Staff, including the names of any replacements (if applicable), will be submitted to the USOPC within 48 hours of approval of these procedures or by August 20, 2023, whichever is earlier.

9. Publicity/Distribution of Procedures:

The USOPC approved selection procedures (complete and unaltered) will be posted/published by the ACA in the following location(s):

9.1 Web site: americancanoe.org

Position	Print Name	Signature	Date
ACA Executive Director	Beth Spilman		8/11/2023
USOPC Athletes' Advisory Council Representative*	Kenny Kasperbauer		August 13, 2023
ACA High Performance Manager	Steve Kelly		8/13/2023

These procedures will be posted as soon as possible, but not more than five days following notice of approval by the USOPC.

* If the USOPC AAC Representative has delegated authority to the Alternate AAC Representative to sign the Selection Procedures, attach a letter from the AAC Representative indicating the reason he/she has delegated authority.

* Signature by the Athlete Representative constitutes that he/she has read and understands the Selection Procedures. If the Athlete Representative reads and does not agree with the Selection Procedures being submitted by the ACA, he/she may submit those reasons in writing to his/her Sport Performance Team.

* If, for some reason, a sport does not have an elected USOPC AAC Representative, the ACA must designate an athlete from that sport to review and sign the Selection Procedures.

Attachment A

ACA Policy
Conflict of Interest

ENC-002 Rev-3
9/7/2022



AMERICAN CANOE ASSOCIATION (ACA)

POLICY TYPE: *Ethics and Conduct*

POLICY NUMBER: *ENC-002*

POLICY TITLE: *Conflict of Interest*

REVISION: 3

ORIGINAL: 4/17/2013

DRAFT:

REVISED: 9/7/2022

The legal definition of conflict of interest, usually set out in state laws governing non-profit corporations, is very specific, and covers relatively few situations. Most conflicts fall into a gray area where ethics and public perception are more relevant than statutes or precedents. Conflict of interest arises whenever the personal or professional interests of a decisionmaker are potentially at odds with the best interests of the Association. Loss of public confidence and a damaged reputation are the most likely results of a poorly managed conflict of interest.

www.BoardSource.org

Purpose

The purpose of this policy is to protect the interests of the American Canoe Association (“Association” or “ACA”), its affiliates and members whenever the ACA is contemplating entering into a transaction or arrangement that might benefit the private interest of a decisionmaker (officer, Board member, division officer, employee, etc.) of the ACA.

This policy is intended to supplement but not replace any applicable state laws governing conflicts of interest applicable to nonprofit organizations that generally pertain to financial conflicts contributing to personal aggrandizement.

Conflicts of interest are inevitable, and most are not inherently improper if properly disclosed, reviewed and the conflicted individual removed or recused from the decision-processes pertinent to the situation(s), transaction(s) and/or person(s) of conflict.

Policy

Decisionmakers of the Association have a responsibility to avoid both actual and perceived conflicts of interest in the course of their decision making roles. These persons:

- Have a duty to act in the best interest of the organization and to perform their duties honestly, responsibly and in good faith,

- Should not use their position with the organization for personal gain and should exercise particular care so that no detriment to the organization results from conflicts between the individual's interests and those of the organization,
- Are to annually review this policy regarding their personal commitments and disclose any known relationships/transactions as defined in this policy, and
- Have a duty to remove or recuse themselves from the decision making process when topics arise where conflict or perceived conflict exists regardless of whether formal disclosure has taken place.

Should any Board member, division officer, committee member, or ACA employee become aware of any undisclosed conflict of interest, or any conflict of interest not fully disclosed, such person should make full disclosure of their knowledge of the conflict of interest involved to the Executive Director and his/her proxy such as the Compliance Manager.

The Executive Director or his/her proxy will review potential conflicts and prescribe necessary steps to be taken by the decisionmaker and the organization to mitigate any risks associated with a conflict. If the conflicted person is a member of the Board of Directors, then the Executive Director will share this information directly and immediately with the Board of Directors and will request that the member recuse himself or herself from the review.

Parties Required to Disclose:

On an annual basis all decisionmakers, including all members of the Board of Directors and employees of the Association shall review this policy and complete the Conflict of Interest Questionnaire ("COIQ") and, if applicable, the Conflict of Interest Disclosure Form ("COIDF").

All candidates for elected office shall review this policy and complete a COIQ and COIDF immediately upon acceptance of their nomination and return it to the Chair of the Nominating Committee with a copy to the Executive Director and his/her proxy, such as the Compliance Manager, for review and disposition.

All new appointees and new hires to decision making positions shall review this policy and complete a new or updated conflict of Interest Questionnaire and/or Disclosure form within 30 days of taking a position.

Decisionmakers who are responsible for the creation or enforcement of selection procedures as well as panels empowered to resolve grievances must review and complete the COIQ and, if applicable, the COIDF. If the individual has already completed a form, then they are to review the questionnaire and disclosure form and ensure there has been no change in status.

Should their personal situation change, decisionmakers are required within 30 days of such change to obtain, complete, and submit an updated Conflict of Interest Disclosure form.

All COIQ and COIDF shall be submitted to the Executive Director and his/her proxy, such as the Compliance Manager. One of these persons will conduct a preliminary review of the COIQs and COIDFs to determine which parties have disclosed conflicts of interest and which parties have not.

Review Process:

The ACA's Board of Directors is ultimately responsible for determining the existence and extent of a decisionmaker's conflict of interest and its potential impact on the Association, its governance and on deliberation over associated transactions and arrangements. If an Ethics Committee has been established, the Board may choose to delegate the responsibility for maintaining this policy and reviewing and managing disclosed conflicts of interest to the Ethics Committee.

In the absence of a formal Ethics Committee, all duties (other than the initial disclosure review conducted by the ED and his/her proxy) related to members of the Board of Directors' disclosures shall be completed by the Board of Directors. All duties related to other decisionmakers shall be completed by the Executive Director and his/her proxy such as the Compliance Manager. Please note: for the purposes of this policy, any reference to the Ethics Committee is only applicable if a formal Ethics Committee exists. Otherwise, the term refers to (1) the Board of Directors for Board member and Executive Director disclosures, or (2) the Executive Director or his/her proxy for all other decisionmaker disclosures.

The Ethics Committee will annually review all Disclosure responses to determine the possibility, existence, and impact of conflicts of interest. For Board Members and the Executive Director, the Ethics Committee or Executive Director will provide a summary report to the Board of Directors along with recommendations for addressing potential conflicts (such as removal from deliberation, recusal from voting or other actions).

Should the Ethics Committee, Board of Directors, or Executive Director wish to further investigate any significant instances, the decisionmaker shall provide full details to the Ethics Committee, Board of Directors or Executive Director describing all of the material facts involved with significant transactions, including a full disclosure of any and all benefits that the decisionmaker may have in such transactions. The reviewers may use outside experts if it feels those are prudent in the conduct of its investigations.

For any instance where a significant issue conflict of interest is encountered, the Ethics Committee, Executive Director and Board of Directors shall make (where appropriate, confidential) a decision to either maintain and advise, alter and advise, or restructure the relationship, taking into consideration the best interests of the Association.

Board Actions

Where appropriate, the Executive Director may escalate concerns regarding any decisionmaker's conflicts of interest by notifying the President and Secretary of the BOD. The President will decide, in his or her sole discretion, when to bring such matters to the attention of the full Board for their review, discussion, and disposition.

Where appropriate, the Board may meet in closed session to review specific instances of significant conflict. The decisionmaker involved may be present to offer information and rebuttal, but no Board member involved in an instance of significant conflict shall contribute to deliberation or decisions in their own or others conflict of interest.

Issues of significant conflict shall be decided in terms of maintaining the relationship with advice, modifying the relationship, restructuring the relationship, or removing the conflict. The affected decisionmaker shall have the opportunity to make rebuttal and have input into this decision.

Violations of Policy

If the Board develops reasonable cause to believe that a decisionmaker has failed to disclose actual or perceived conflicts of interests, it shall inform the person of the basis of such belief and afford the person an opportunity to explain the alleged failure to disclose.

If an instance of conflict arises during a Board or division, council or committee meeting the following procedure should be followed:

- a. Any participant may bring a "point-of-order" motion if they believe that another participant is deliberating or voting on an issue that would constitute a conflict of interest.
- b. The person chairing the meeting (i.e. the President in the case of a Board meeting) shall offer the questioned member the opportunity to rebut the potential conflict. The chairperson may offer the member the opportunity to voluntarily recuse him or herself. Failing this the chairperson shall rule if the member may advise or vote on the issue.
- c. If the chairperson rules that the member will not vote, that participant may bring an "appeal" motion. This motion does not require a second.
- d. The full meeting or a quorum thereof shall, by a majority vote, decide whether the perceived conflict is such that the participant in question must remove or recuse themselves from deliberation and voting.

Issues of significant conflict of interest that cannot be resolved through above procedures by the Ethics Committee and Board and any issues that involve apparent violations of prevailing Nonprofit law shall be referred to outside legal counsel.

Examples of Conflict

- A conflict of interest may exist if a coach has a relationship with an athlete that is outside of the normal coach-athlete relationship. This would include friendships and individuals who interact with each other outside of the scope of the ACA.
- A conflict of interest may exist if a member of the Board of Directors has a family member who could benefit directly from a decision made by the Board.

Record Keeping

The Board, divisions, councils and committees of the ACA shall keep records of its meetings, especially where decisions are taken affecting the Association. These records shall include records of removal or recusal in cases of conflict of interest, especially any instance where perceived conflict of interest is

deliberated and decided and shall include the names and positions of any members, officers or staff that are found to have perceived or real conflict of interest.

All such instances shall be reported to the Board.

ACA-Specific Definitions:

Business Transactions:

Business transactions include but are not limited to contracts of sale, lease, license and performance of services, whether initiated during the ACA's tax year or ongoing from a prior year.

Conflict of Interest:

This is a situation in which a person has a duty to more than one person or organization but cannot do justice to the actual or potentially adverse interests of both parties.

Generally, a conflict of interest exists when the decisionmaker in question has:

- The potential for personal gain or involvement (including gain or involvement of a member of their family);
- Is involved in a decision between ACA and another organization in which the decisionmaker substantially participates;
- Is involved in a relationship (commercial or otherwise) that impacts the decision-maker's ability to be objective in their work on behalf of the ACA.

Conflict of Interest Questionnaire:

This is a form that through detailed questions determines if a decision maker has potential conflict of interest. As-such, it helps train the decisionmaker in what constitutes a conflict of interest. All new decisionmakers and any that are unsure of their conflict of interest status should complete a questionnaire.

Conflict of Interest Disclosure:

This is a form that allows decisionmakers to communicate that they have no conflict of interest or, to communicate areas where conflict of interest lies. Decisionmakers should complete a disclosure form as indicated by the questionnaire, on request, or any time their conflict of interest status changes.

Duality of Interest:

A duality of interest exists when any decisionmaker owes allegiance to both the ACA and another organization that interacts with the ACA. An example might be an organization seeking to request a grant from the ACA.

Such affiliation exists if the decisionmaker is a director, trustee, officer, or employee of that organization, or even if the decisionmaker has an unofficial role such as significant donor, volunteer, advocate, or advisor.

Decisionmaker:

Potentially any Board member, liaison member, division officer, or members of a council or committee with Board- delegated powers, such as:

- Board President,
- Other elected officers,
- Board members,
- Division officers and Board members,
- Members of committees with Board or division-delegated authority,
- Other volunteers with Board-delegated authority,
- Employees
- Task force members
- Hearing panel members

Excess Benefit Transaction

An excess benefit transaction is where the ACA directly or indirectly provided an economic benefit where the value of the benefit exceeds the values of the consideration received by the ACA.

Family Member:

A decisionmaker's spouse, brothers and sisters, children, grandchildren, great grandchildren and spouses of brothers, sisters, children, grandchildren and great grandchildren.

Financial Interest:

A decisionmaker has a financial interest if the decisionmaker has, directly or indirectly, through business, investment, or family:

- An ownership of 5% or more or investment interest in any entity with which the ACA has a transaction or arrangement; or

- A compensation arrangement with the ACA or with any entity or individual with which the ACA has a transaction or arrangement; or
- A potential ownership of 5% or more or investment interest in, or compensation arrangement with, any entity or individual with which the ACA is negotiating a transaction or arrangement.
- An ownership of 5% or more or an investment interest in a paddle sports related business.

Investment Interest:

A decisionmaker has an Investment Interest if the decisionmaker owns stocks or marketable securities in excess of \$10,000.00 in a paddle sports related business.

Key Employee:

A key employee is defined as a paid individual or subcontractor with significant influence or authority within the entity or organization.

Paddle Sports-Related Business:

A paddle sports related business includes but is not limited to paddle sport outfitter operations; paddle sport equipment manufacturing, distribution, and sales; and paddle sport instruction for hire.

Substantial Contributor

In general, a person that contributed or bequeathed an aggregate amount in *excess* of \$5000.00 before the close of the ACA tax year would be a substantial contributor. The creator of a trust is also deemed a substantial contributor with respect to the trust.

Anti-retaliation:

The ACA has zero tolerance for retaliation against people who make good faith reports of potential ethical, policy, or legal violations, or who cooperate with investigations of those reports. That means no ACA staff, Board/Committee member, or volunteer may threaten, harass, discriminate against, or take any negative action (e.g., discharge, demotion, suspension, negative review) on that basis. All parties receiving a complaint are to follow the ACA's anti-retaliation procedures

Revisions:

Revisions to this policy shall be completed by Board Executive Committee with support of the Executive Director and approved by the National Board of Directors. All revisions must *be* consistent with the prevailing code and ACA Bylaws. The Board Secretary shall maintain a history of revisions for this document.

History of Changes		
Rev	Description of Change(s)	Date
00	Original Document	Unk.
1	<p>Major Revision</p> <ul style="list-style-type: none"> a. Adjusted content to new format (change tracking) b. Updated questionnaire form c. Added new disclosure form d. Updated definitions e. Added detail for dispositioning significant conflict f. Updated content from web sources & reconciled g. Confirm expanded definition of "decisionmaker" h. Created separate tracking for forms update Reconciled i. content with update to Bylaws 	4/17/2013
2	<p>Revisions</p> <ul style="list-style-type: none"> a. Expand applicability to all staff members b. Add anti-retaliation statement c. Addition of examples of conflicts 	3/15/2022
3	Minor changes to review processes to document role of ED and his/her proxy	9/7/2022

Individuals Responsible for Policy and enforcement:

- Executive Director: Beth Spilman, bspilman@americancanoe.org
- Chair of the Board of Directors: Robin Pope, robinpope3@hotmail.com

External Resources:

- Athlete Ombudsman: ombudsman@usathlete.org

Attachments:

1. Form ENC-002A: ACA Conflict of Interest Questionnaire
2. Form ENC-002B: ACA Conflict of Interest Disclosure Statement

References:

1. ACA Bylaws, Revision 2013 • proposed ARTICLE XI. CONFLICT OF INTEREST
2. Sample Conflict of Interest Policy, www.BoardSource.org



Form ENC-002A Rev-1

American Canoe Association

Conflict of Interest Questionnaire

Name (print): _____ Date: _____

Area/Level: ___ Board ___ Activity ___ Committee ___ Council ___ Division ___ Staff ___ Other

Position/Job Title: _____

Question (please complete all)	Yes	No
1. Do you have a financial or investment interest, direct or indirect, in a paddle sports related business or any other business that conducts business with the ACA?		
2. Do you have any family members with a financial or investment interest, direct or indirect, in a paddle sports related business or any other business that conducts business with the ACA?		
3. Are you a key employee of a paddle sports related business or any other business that conducts business with the ACA?		
4. Do you have any family members that are key employees of a paddle sports related business or any other business that conducts business with the ACA?		
5. Do you in combination with other decisionmakers have a financial or investment interest in a paddle sports related business or any other business that conducts business with the ACA?		
6. Do you have a family member that in combination with other decisionmakers has a Financial or Investment Interest in a paddle sports related business or any other business that conducts business with the ACA?		
7. Do you serve as an officer, director, or trustee of an entity (or a shareholder of a professional corporation) that does business with the ACA?		
8. Do you have a family member that serves as an officer, director, or trustee of an entity (or a shareholder of a professional corporation) that does business with the ACA?		
9. Are you or a family member a substantial contributor to the ACA?		
10. Do you or a family member have a trust, escrow, or custodial arrangement with the ACA?		
11. Are you a Director, Officer or influential staff member, or influential committee member of any other outdoor organizations that have a primary or major interest in paddlesports?		

12. Is a member of your family a Director, Officer or influential staff member, or influential committee member of any other outdoor organizations that have a primary or major interest in paddlesports?		
13. Are you or a family member part of a selection committee for an entity that grants money to the ACA?		
14. Do you or a family member receive grants or other assistance from the ACA?		
15. Do you or a family member have a Financial Interest or Investment Interest in an entity that receives grants from the ACA?		
16. Are you aware of any excess benefit transactions to report?		
17. Do you have any personal commitments that might interfere or otherwise compromise your ability to fully and loyally discharge the duties of your position with theACA?		
18. Are you the parent, grandparent, or sibling of an athlete who is currently competing on a team affiliated with the ACA including a club team or the US National Team, in any ICF discipline?		

If you hold a position of responsibility with the American Canoe Association and have answered "yes" to any of the above questions then you must immediately request and complete the ACA Conflict of Interest Disclosure Form where you will *be* asked to provide details of areas of potential conflict of interest.

Conflict of Interest does not necessarily prohibit you from holding a position of responsibility. ACA Policy does require that you remove or recuse yourself from deliberating or making decisions or voting in areas where real or perceived conflicts may arise.

PLEASE INITIAL:

_____ I certify that the information I have provided above is complete and accurate and that:

_____ I have received a copy of the conflict of interest policy;

_____ I have read and understand the policy;

_____ I have agreed to comply with the policy;

_____ I have completed the Conflict of Interest Questionnaire completely and truthfully

_____ I have no areas of perceived or real conflict of interest **OR**

_____ I have areas of perceived or real conflict of interest and need to complete the Disclosure Form

If there is any material change that develops in the information contained in the foregoing statement, I will promptly inform the President of the Board or the Executive Committee.

Signature _____

Date _____

Form ENC-002B Rev-1



American Canoe Association Conflict of Interest Disclosure Form

Name (print): _____ Date: _____

Area/Level: ___ Board ___ Activity ___ Committee ___ Council ___ Division ___ Staff ___ Other

Position/Job Title: _____

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest between the American Canoe Association and your personal interests, financial or otherwise:

___ I have no conflict of interest to report

___ I have the following conflict of interest(s) to report (please specify other non-profit and for-profit Boards you (and your spouse) sit on, any for-profit businesses for which you or an immediate family are an Officer, Director or a major shareholder, your present employer, and any business you or your family own which may conflict with your duties and commitments to ACA (use back as needed):

Item	Commitment	How Connected
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby certify that the information set forth is true and complete to the best of my knowledge. I have reviewed and agree to abide by the Policy of Conflict of Interest of the American Canoe Association.

Signed

Date