



MINUTES for Regular Board Meeting 05 May 2021

Meeting Logistics:
05/05/2021 7:30am Mountain Time

Location:
Zoom Meeting
<https://zoom.us/j/8256677745>
Meeting ID: 825 667 7745

ATTENDEES

Presiding Officer:

Carson Rivers – **Chair**

Board Member Attendees:

Rohan Shahani – **Vice Chair**
 Korey Hampton – **Secretary**
 Cameron Annas – **Treasurer**

Bahman Azarm – **Member**
 Victor Gallo – **Member**
 Keith Jacobs – **Member**
**arrived at 8:30am*

Connor James – **Member**
 Billy Simpson – **Member**
 Shawn Tierney – **Executive Director**

Quorum?

Yes
 No

Guests:

Erik Marter
Jen Marter

Meeting called to order at 7:35 AM Mountain Time by Carson Rivers.

Welcome Guests & Housekeeping (Carson Rivers)

Reading of the ACCT Mission Statement (Cameron)

The Association for Challenge Course Technology (ACCT) establishes and promotes the standard of care and measure of excellence that defines professional practice and effective challenge course programs. ACCT develops, refines, and publishes standards for installing, maintaining, and managing challenge courses; provides forums for education and professional development; and advocates for the challenge course and adventure industry.

Reading of the ACCT Anti-Trust Statement (Cameron)

It is the policy of the Association for Challenge Course Technology, and it is the responsibility of every Association member company, to comply in all respects with federal and state antitrust laws. No activity or discussion at any Association meeting or other function may be engaged in for the purpose of bringing about any understanding or agreement among members to:

- (a) raise, lower, or stabilize prices;
- (b) regulate production;
- (c) allocate markets;
- (d) encourage boycotts;
- (e) foster unfair trade practices;
- (f) assist monopolization, or
- (g) in any way violate federal or State antitrust laws.



Any questions regarding the meaning or applicability of this policy, as well as any concerns regarding activities or discussions at Association meetings, should be promptly brought to the attention of the Association Executive Director or the Chair of the Board of Directors.

Approval of Agenda (Carson)

Motion:	Review and approve the meeting agenda
Made by:	Billy
Seconded by:	Bahman
Discussion:	None.
Vote:	In Favor – N/A Opposed - 0 Abstaining - 0
Motion Carries:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Approval of Previous Meeting Minutes (Carson & Korey)

Motion:	Approve minutes from meeting held April 12th, 2021.
Made by:	Cameron
Seconded by:	Bahman
Discussion:	None.
Vote:	In Favor – N/A Opposed – 0 Abstaining – 0
Motion Carries:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Motion:	Approve minutes from meeting held April 13th, 2021.
Made by:	Bahman
Seconded by:	Cameron
Discussion:	None.
Vote:	In Favor – N/A Opposed – 0 Abstaining – 0
Motion Carries:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Motion:	Approve minutes from meeting held April 14th, 2021.
Made by:	Bahman
Seconded by:	Billy
Discussion:	None.
Vote:	In Favor – N/A Opposed – 0 Abstaining – 0
Motion Carries:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



Executive Director Updates (Shawn)

- ACCT Conference, Cleveland 2022: Projecting for 750 attendees and budgeting accordingly, which would mean a break-even outcome financially. In the past, conferences have been a significant source of association income, so the aim is to encourage more attendance.
- Cleveland is not willing to negotiate the terms of our contract at this time. They are fully open for business and don't need or want to adjust contracted numbers down. We are committed to numbers that were projected 3 years ago based on trends at the time.
- FY22 Budget projection looks like it will be a \$135K deficit. It was initially projected at \$154, but PPP money helped offset that. The current FY (2021) deficit is \$25K, so we will likely be okay without dipping into reserves this year. Depending on how the Cleveland conference goes, we may need to dip into the reserves later. But that deficit is still just a projection and is not currently a cause for concern. The draft budget is being finalized and should be ready for review by the May 18th Finance Committee meeting.
- COI Submissions – With 123 forms returned, we are very near or at 100% compliance.
- There is a now a draft 'Responsibilities of a Committee Chair' document ready for review.
- International Discussion – On April 30th our ED hosted two calls intended to provide a forum for discussion with the BOD, at a time of day that is more convenient for our Asian and Latin American members. The calls were well attended and will be scheduled to happen monthly moving forward.

Treasurer's Report (Cameron)

- Per the ACC request for increased financial insights, it may be more convenient for all involved to have a few key members of the Finance Committee (FC) attend an ACC meeting instead of trying to get them to a FC meeting. Invite Shawn and Carson as well.

ACTION ITEM (Cameron) - Check in with Finance Committee leadership to see if they are available for the ACC's next meeting on May 20th at 12pm EST.

Ethics Process (Billy and Jennifer Marter)

- Reviewed concept proposed by the Ethics Committee (EC); see the 'Outline of Proposed Grievance Resolution Process' and 'Compliance Complaint Process' files. Discussion followed regarding how this new process would change what types of issues the committee takes on, or how they would be handled differently in the future. Also discussed the proposal regarding changing the name of the Committee. Requested that the EC set timeline expectations for the stages of the process.

Keith joined the call at 8:30am

- Further discussion revolved around the proposed new process assuring that the complainant provides complete information and cites the standard and exact reason for their complaint before they can officially file it. As for the flow chart, the difference in actionable vs. non-actionable revolves around whether the complaint is directly related to the ACCT. For example, are the people involved are actually ACCT members/PVM's/or ICE certified.



- Consensus is that the BOD agrees with the general direction of the proposed updates, and the EC will continue to refine and expand on it, and keep the Board informed of their progress.

ACTION ITEM (Billy) – Make sure that Rohan and Keith have an opportunity to have their feedback heard regarding the EC proposal.

ED Search (Carson)

- Shawn's 1 year notice has now been posted publicly.
- Board's response & next steps – The BOD would like to thank Shawn for his service as well as his continued commitment to the ACCT during the upcoming transition. Additionally, the BOD would like to update the ACCT community on the process already underway to launch a search and inform them of the next steps.

ACTION ITEM (Rohan) - Officially form and populate the ED Search Task Force and establish a timeline.

ACTION ITEM – Draft and send out a BOD statement regarding the ED search process in the next 2 weeks.

Board Logistics (Carson)

- October "Face to Face" originally scheduled for Oct 20-22nd, 2021: We have received confirmation that we can meet in Cleveland to visit the conference venue. Travel on October 20th, meet on the 21st and 22nd. Update BOD calendar to reflect this change.

ACTION ITEM – Research past BOD meeting minutes to see if we need to make a motion to discontinue any official suspension of in-person meetings prior to the Fall F2F.

- Public posting of schedule, agendas, and minutes; bylaws requirements vs convention: According to the bylaws the BOD can call a meeting at any time. However, in the interest of transparency we have, and will continue to, make the twice monthly BOD meeting schedule as visible as possible to our membership. As for the request to post agendas ahead of time, often the agenda is created on Monday or Tuesday prior to a Wednesday meeting because things happen, and can change, quickly. However, the BOD will make every effort to post these as soon as they become available.

ACTION ITEM (Shawn) – consult with staff to assess the viability of posting BOD meeting agendas on short notice.

ACTION ITEM – Research the Secretariat rules to assess if they require a different procedure for the publication of meeting dates.

Hubbell Advisory (Carson)

- Discussed the ACCT's recently published guidance document and the advice from legal counsel. Since then, there has been little in the way of new developments on this topic. No new action is needed at this time.



Standards Development (Victor & Connor)

- TIRE – Discussed concerns that they have expressed regarding the turnaround of work product they have submitted, and their request that the BOD evaluate this timeline.

ACTION ITEM (Connor) – Gauge the status of progress at the Consensus Group (CG) and update the BOD at the next meeting.

Meeting Closing (Carson)

Motion:	Motion to adjourn the meeting.
Made by:	Connor
Seconded by:	Billy
Discussion:	None.
Vote:	In Favor – N/A Opposed – 0 Abstaining – 0
Motion Carries:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Meeting adjourned at 9:36am Mountain Time.

APPROVED

Ethics Committee

Outline of proposed Grievance Resolution Process

The Terms of Reference for the Ethics Committee have remained largely unchanged since this committee was originally formed. At that time, the Association sought a way to assist a small group of Professional Vendor Members in resolving conflict and holding each other accountable to the ACCT Standards and Code of Ethics. It is our understanding that the Association saw a need for a small group of individuals who would receive and maintain confidential information and assist companies in solving conflict that did not require legal expertise or outside mediation to be resolved.

Since that time, the ACCT has grown exponentially as has its membership, programs, and many of the Professional Vendor Member companies. The types of grievances we are seeing are more complex in nature and often concern interpretation and compliance with the standards, compliance with the credentialing programs of the ACCT, compliance to the ACCT Code of Ethics and issues concerning business relationships.

When the current Ethics Committee formed in January 2021, we were tasked with continuing the work of the previous committee members in resolving 3 outstanding grievances and together with our two Emeritus Board members, continue to review and revise the grievance resolution process. Through this work we have discovered that the Grievance Process as it currently exists is not quite serving the current needs of the Association, its members or its programs. We propose making a few changes to the process.

We'd like to move away from the term "Ethics" which implies good/bad or connection to a moral code or decision. We believe a better term is "Compliance." We see the grievance process as a way of working through issues of compliance or more accurately, non-compliance to the ACCT Code of Ethics, to the standards, and to the credentialing programs of ACCT (ICE, Operation Accreditation, Vendor Accreditation)

Many of these committees and panels already have a process in place for handling non-compliance and so we proposed merging the Ethics Committee (Compliance Committee – although we need a better name!) with the processes that are already in place. Below we have outlined a VERY ROUGH DRAFT process that we are fleshing out for the purposes of resolving future grievances.

We are requesting that the ACCT Board of Directors read through our outline of the general direction we are heading in and respond. We'd like to know if you are in agreement with our direction so that we can continue to develop this model, or ask for changes that you feel need to be address at this stage of the process, or let us know if you intend to head in a completely different direction and would like us to stop the development of this process....or anything in between! In essence we do not want to continue this work if it is not aligned with the direction of the BOD and work of the association.

DRAFT of Grievance Resolution Process

Initial call or inquiry regarding a potential issue of Non-Compliance comes to the ACCT Office

- Grievance form MAY no longer be available on the website. Inquiries will be directed to call or email admin staff for the form.
- ACCT Staff engages with the party filing grievance, finds out a bit about the issue and using a series of questions or matrix developed by the Ethics Committee determines if this is a grievance that the ACCT is able to address. (In the case where the issue is legal in nature or the parties involved are not directly involved with ACCT, the individual will be directed to the appropriate venue by ACCT staff)
- If grievance is cleared to proceed, ACCT Admin directs the person to fill out a grievance form and return to ACCT office.
 - *New Grievance form will ask complaining party to identify which standard, code of ethics or certification has been violated.*
- When grievance form is returned to the office, Admin reviews for completeness and passes it on to Ethics (Compliance) Committee. *This will be the first time the EC receives the grievance.*
- The EC reviews the grievance and supporting documentation.
 - determines if it is actionable by the committee/association – notify all parties involved in the grievance.
 - Request additional supporting information from ALL parties involved if needed.

Once complaint is filed and in process:

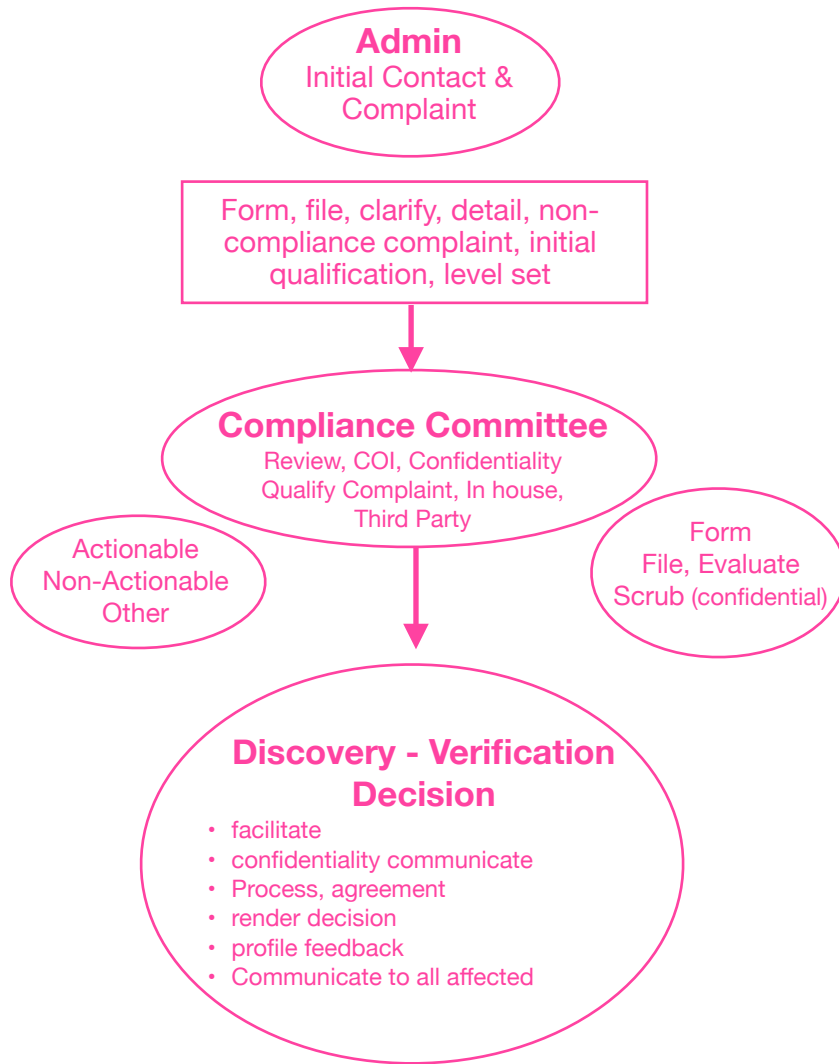
- Any EC members Conflict of Interest is addressed and those with conflicts must recuse themselves and have no access to file system regarding this complaint.
- A secured file is created that is only available to the EC members that are not recused from complaint
- Review ALL submitted material and determine which committee/panel/standard/ oversight group it belongs with (This step may happen at any point in the process)
- Determine the scale of non-compliance (1-10) EC and assess complaint:
 - Is the application adequate and details sufficient?
 - What additional information is needed?
 - What resources are needed to ascertain a decision?
 - Severity Classification
- Depending on severity the grievance resolution process may or may not require outside support or intervention.
 - In house advisory – BOD, Committee or panel resource or opinion
 - Third party support – Legal expertise, state and local jurisdiction resource
 - Third party management – Mediation team
- If Grievance is to be kept “in-house” Ethics Committee “scrubs” the grievance and supporting documentation for confidentiality and sends to appropriate in-house group (see above)

- If that group has its own internal process for dealing with issues of non-compliance, they will follow their process and return a decision to the Ethics Committee.
- EC will assist with any clarifying information needed or additional questions that need to be answered by parties involved.
- This will all be done confidentially so the parties involved with the non-compliance will not be known outside of the Ethics committee.
- If ACCT internal committee does not have a process for handling non-compliance, the Ethics committee will:
 - Gather, organize and process supporting information
 - Determine if additional follow up with parties is necessary
 - Request opinion for in-house committee /panel
 - Maintain communication with both parties
 - Render a decision
 - Make recommendation to the Association on any improvement that can be made internally based on findings during grievance process

Areas to develop:

- Categories for initial admin organization and questions/matrix
 - New Grievance Form
 - New awareness piece about the process and expectations for the Association
- Categories of severity of noncompliance and corrective measures and penalties (To be developed in partnership with committees and panels) such as:
 - Additional steps for credentialing
 - Fees
 - Suspension / lose status of membership
 - Association apology
 - More scrutiny upon review

Compliance Complaint Process



Compliance Complaint Process

