

## **Notes of Special Meeting with BASSDA Board Members 110227**

### **NOTES:**

Conference call meeting started on Sunday, February 27<sup>th</sup>, 2011, at approx. 3:05 PM EST.

In attendance:

#### NASSPDA's Board:

Lee Fox (Treasurer), Sonja Furiya (Membership Chair), Pat Hogan (GLISA Representative & Communications Director), Christopher Kelleher, Richard Lamberty (Vice-President), Benjamin Soencksen (Secretary & FGG Delegate) & Barbara Zoloth (President)

#### BASSDA Board and April Follies Organizing Committee members:

Emily Coles (April Follies Organizing Committee), Patti Restaino (BASSDA President) & Barbara Zoloth (BASSDA Treasurer)

This special meeting by the Board of NASSPDA was called to discuss and define a response of NASSPDA to a recent change in the rules of the NDCA (National Dance Council of America), which could impact NASSPDA sanctioned competitions. Invited to this meeting were also the Board members of the Bay Area Same-Sex Dance Association, Inc. (BASSDA) which organizes an annual same-sex dance competition, called April Follies, and Kate Kendell, Executive Director of NCLR (National Center for Lesbian Rights). As a result of this rule change, three judges who had agreed to officiate at this year's April Follies canceled their commitment to this event.

The President of NASSPDA, who is also a member of the Board of BASSDA, posted the following excerpt of NDCA's rules prior to this meeting to the Boards of NASSPDA and BASSDA as well as Kate Kendell from the NCLR, which resulted into the judges' cancellation: "Judges and Scrutineers who choose to register with the NDCA are not permitted to officiate at or organize any Competition or Championship that is not sanctioned by the NDCA or other recognized organizations (page 2, under I. Introduction, Point G. "NDCA & Recognized Professional Organizations - Judges/Scrutineers")." And "Offenders may be subject to a \$500 fine, a six month suspension, or have their registration with NDCA cancelled (with no refund)," followed by a list of exceptions. Part of the list of exceptions used to include "c. Local Competitions. A local competition is defined as a competition (1) that is limited to a one-day event with less than 1,000 entries total." plus a few more definitions. These exceptions were eliminated entirely and therefore NDCA registered officials are now prohibited from officiating at any NDCA non-sanctioned events, including one-day events like April Follies.

Prior to this meeting, the Treasurer of NASSPDA who is also a long-time member of the NDCA (as a member of the NDTA, National Dance Teachers Association, for which he serves as the delegate of the NDTA to the NDCA) offered to mediate. He didn't believe that the recent letter sent to officials registered with the NDCA was intended to be linked directly to NASSPDA sanctioned same-sex dance competitions. It rather seemed that NDCA's intention is to prevent their registered officials from working at NDCA non-sanctioned one-day events in hopes of forcing those events to be registered for NDCA sanctioning, which will add more income producing events on the roster for NDCA registered officials (apparently that had been a complaint). This was confirmed during a phone conversation he instigated with the 1<sup>st</sup> Vice-

President of the NDCA, Judi Hatton. Since NDCA's definition of a couple excludes same-sex and reverse-role couples, and since same-sex competitions usually exclude opposite-sex couples from the mainstream dance world, she doesn't believe that NDCA's rule for officials applies in this instance. She offered the usage of her name to vouch for this statement when further communicating with the judges that had withdrawn their engagement in this year's April Follies.

All in attendance agreed that it would be preferable to have this interpretation of the rules by the NDCA's 1<sup>st</sup> Vice-President in writing. Everyone thanked the Treasurer of NASSPDA wholeheartedly for this initial understanding, but concerns were also voiced that at another time another official of the NDCA may interpret its rules differently. Therefore, it was suggested to work towards a permanent change in NDCA's rules confirming the validity of its 1<sup>st</sup> Vice-President's interpretation (whether that is by stating an exception to those rules, or by recognizing the difference of "playgrounds").

In order to achieve a change in NDCA's rules, it was suggested to empower the Treasurer of NASSPDA through a continued conversation with the 1<sup>st</sup> Vice-President of the NDCA to obtain a written statement of the understanding as expressed by Judi Hatton. Based on NASSPDA's Bylaws and the presence of all Board members, the NASSPDA Board was able to unanimously vote for this proposal with 7 "yes" votes. Once this step has been achieved, NASSPDA will formulate a letter to the NDCA officially asking for a written change in its set of rules and policies. In order to avoid legal complications/challenges, it was suggested to have this letter reviewed by NCLR before submission. Since other circuits of partner dancing, such as Country Western and Swing dancing, have their own organizations and competitions, just like the same-sex partner dance world, it is not clear yet whether this change would be asking for listing an exception for certain organizations, who also sanction dance competitions, or whether it is simply stating a lack of jurisdiction, because these organizations control dance forms and couple configurations different from the parameters defined in NDCA's rules. Hopefully, how to proceed will become clearer through a continued open dialogue.

It was mentioned that other countries have seen similar controversies. The German amateur association (DTV) stated that it is not comfortable with organizers of same-sex dance competitions inviting officials that have been licensed through DTV's efforts and set of standards, and those officials possibly working together with non-licensed officials. This and the desire of some same-sex competitive dance couples to be recognized within the mainstream dance world prompted the German same-sex association to seek membership with DTV, which was achieved at the end of last year. Several years before that, a Dutch male couple brought their case before their national ethics committee, because the national amateur association does not permit same-sex dance couples to compete in their competitions, based on their definition of a couple. Though the couple won their case, the ruling of this committee is not binding, and the amateur association decided not to abide by this ruling. Many dance associations all over the world have the same definition of a couple as does NDCA (see page4, under II. Definitions, Point A.5. "Definition of a Couple," a. "A couple is defined as a male and a female. This rule applies to all competition classifications: Professional, Amateur, Pro/Am Student Dancers, and Student/Student. Exceptions are not allowed.")

The NDCA does actually not directly license officials, but its membership organizations do. Based on its definition of a couple, however, the NDCA prevents competition organizers of NDCA sanctioned competitions from offering any categories for same-sex partner dance couples. Some members of NASSPDA who are active same-sex partner dance competitors have expressed their desire to be able to compete in NDCA sanctioned competitions, since there are not many same-sex partner dance competitions on the calendar per year. In order for a same-sex partner dance couple to gather more experience, one is forced to look into attending competitions in Europe in addition to the few offered in the US. The Board of NASSPDA therefore recognizes the need to define its position on this issue, to continue a dialogue with the NDCA as well as with its own members, and to explore the legal underpinnings with the help of the NCLR. In particular, it would be helpful to clarify the legality or illegality (at state and/or federal levels) of NDCA's definition of couple and their resulting policy that excludes same-sex couples from participating.

All in attendance agreed that this meeting was illuminating and a step forward. Again, the Treasurer of NASSPDA was thanked manifold for his engagement and temporary resolution of the immediate problem at hand. The meeting adjourned at approx. 4:00 PM EST.