

### **2021 6A 2-Speaker Debate Tournament**

**Grievance:** Team A Judges 1 & 2 have not judged at a tournament this season.

Also, Judge 1 judged Team B in Octas and talked about, to the debaters, the decision with their 'family members', one of whom is judging with them on the quarters panel and one of whom is debating in this tournament.

**Committee Decision:** The Grievance Committee decides to deny both grievances. On the first issue, upon interview, both judges indicate that they had judged a video practice round of a debate on the current topic and had provided feedback similar to what the expectation would be for judges at this tournament. On page 15, Section 12, Subpoint C, the KSHSAA manual says, "A judge must have judged at an invitational tournament **or on the topic during the current season.**" We find that they both meet this requirement.

On the second issue, upon interview of the judge in question and Judge 3, another judge in the round, we find that the debater misinterpreted what was said by Judge 1. We believe that the comment made by the judge, based upon the reports of both he and Judge 3, indicate that the judge was referencing conversations with family members prior to this weekend about the general topic of criminal justice reform and not about this round in specific.

**Grievance:** The 2A delivered both the 2AC and the 2AR in full. 2A also delivered significant portions of the 1AC (the beginning and the end of the speech) for 30-60 seconds each time, as well interjected analysis other times during the speech.

**Committee Decision:** We find that the Affirmative team did violate the rule found on Page 10, Sec 9. "The time and order of speeches shall be as follows and no part of any speaker's time shall be given to another." After consultation with the judge in the round, we find that this violation did not cause a competitive disadvantage for the negative team, nor did it have any significant impact on the judge's decision. Therefore, it is the decision of the 6A Grievance Committee that no further action is warranted, nor should be taken.

### **2021 5A 2-Speaker Debate Tournament**

**Grievance:** The affirmative 1AR AND 2AR read new evidence in the 2AR that did not include the required citation as written in the KSHSAA handbook page 11 Sec 16 C

The request of the Negative team is that the Affirmative has violated rules for evidence, and the decision should be overturned.

**Committee Decision:** Based upon the information given and reviewed, the grievance committee decided to maintain the judge's decision and would like to provide a formal warning to the offending team. If the violation is repeated, the offending team will risk removal from the tournament.

**Grievance:** A school judge providing rude/inappropriate feedback to students.

**Committee Decision:** Judge removed from pool. School that provided judge will need to find replacement. Contacted the coach of school providing judge, she was fine and said she would fill in to judge if needed.

### **2021 4A 2-Speaker Debate Tournament**

**Grievance:** Several pieces of evidence in the round used misleading dates. For example, a card from the author McCarthy was read orally cited as 'McCarthy 2021', while the actual article, upon clicking the link, was from 2007. The written citation, which was not read in round by McPherson has 'accessed 15 Jan 2021'. This is used to give the card the date 2021. The actual date of the article, or the date originally published, is not included in the citation. A card from the

author Meese similarly uses a misleading date. In addition, a card from the Vera Institute of Justice in 2020 has a link in its citation which leads to a 404 page.

**Committee Decision:** School A filed an evidence grievance against School B, alleging that a team from School B cited evidence as newer than published. The grievance stated that the School B team used the date accessed as the date published, when the date published was almost 14 years earlier than the date cited.

The grievance committee used the following rule in their decision: 16.2. Definitions of Evidence Violations, A. "Distortion" exists when the textual evidence itself contains added and/or deleted word(s), which significantly alters the conclusion of the author (e.g., deleting 'not'; adding the word 'not'). Additionally, failure to bracket added words would be considered distortion of evidence. When discussing the ramifications of distortion, the committee referred to this rule: 16.4. Penalties for Evidence Violations, C. If a debater commits an evidence violation of "distortion" (16.2.A) or has used "non-existent evidence" (16.2.B), the offending team will lose the debate and be disqualified from the tournament. However, if a team loses a round due to "non-existent evidence" (16.2.B) violation during an in-round formal allegation, but can produce it after the round within 20 minutes to the tabulation committee, the committee may decide not to disqualify the entry. The loss that was recorded by the judge may not be changed. If a post-round protest is levied against a team for not providing evidence or an original source in round (non-existent evidence), and the judge confirms they in fact did not provide the evidence in a timely fashion when requested in round, the team will lose the round and be disqualified from the tournament. However, if a team produces the evidence within the post-round challenge period, the team may avoid disqualification.

The School B team presented their evidence, but it was clear that there was a distortion. When pulled from the team's original files, the evidence was cited correctly, but what was read in round was manipulated. The committee decided to follow the guidelines in the manual and disqualify the offending team (School B). The committee was in unison with their decision.

### **2021 3-2-1A 4-Speaker Debate Tournament**

**Grievance:** Affirmative team doctored evidence, when called on it they said that they didn't. Negative team brought it up in the round. Affirmative team was sending pictures of the evidence they read that had sentences added as part of the cards.

**Committee Decision:** the grievance committee finds in favor of the Negative's grievance. The affirmative team violated a distortion of evidence rule in Sec. 16 of the KSHSAA manual. The committee agrees that the ruling in the round must be a loss for the Affirmative with 0 ballots and 21 speaker points. The Negative will receive a win, and the Affirmative team will be disqualified for Round 7 per Sec. 16.5 of KSHSAA rules.

**Grievance:** Team A: the evidence that was produced was unethically cut out of context. Three cards were cut in a way that is not representative of the author's intention.

Team B: Team A has done the same as they accuse Team B. Though Team A has included full articles, what was highlighted and read in the round slants the occasion sometimes differently than the context provided. This speaks to Team B coaches worry that there is not enough direction in the KSHSAA manual to warrant what exactly constitutes card clipping. Team B was not intentionally doing anything untoward but engaging in a practice that has been done for years. It is Team B coaches feeling that KSHSAA needs to provide clearer direction to prevent this from happening before action is taken. If someone cannot take cards that represent more than the author's slant - then this changing changes the face of debate.

**Committee Decision:** The grievance committee is in agreement that the cards as they are cut do not change the author's intent in any way. The ruling of the judges in the round, and the ballots as they have been submitted, will stand. The committee, however, urges KSHSAA to work in conjunction with KSCA to examine and clarify evidence clipping rules.

## **2020 6A - 2 Speaker State Debate Tournament**

**Grievance:** A social media post describing a limited group of people, of which two are referenced by specific job, on a social medial platform from which the message was shared among professional colleagues at a function hosted by the KSHSAA.

**Discovery:** Rule 52 Section 1 – Be courteous to all

Rule 52 Section 5 – Exercise self-control and reflect positively upon yourself, team and school.

Rule 52 Section 6 – Permit only positive sportsmanlike behavior to reflect on your school or its activities.

All actions are contrary to any example that should be set for a professional, especially when behavior is modeled publicly in front of students.

**Committee Decision:** Because the communication was a private post without specific names, while finding the post concerning, the committee did not find that KSHSAA Rule 52 ought to apply to this instance. The appropriate forum for follow up would be to work directly with building administration.

**Grievance (Summary of 6 different statements):** After Round 4 the Aff. team (two females) debated a Neg. Team (two white boys). After delivery of the 1AC, the judge delivered several very aggressive cross examination questions. Judge was dismissive and rude to the Aff. throughout the round, nodding and saying “yes” while the Neg. spoke and not flowing, shaking his head and ignoring the Aff. Aff. team left round sobbing, the Neg. team was also shaken and when asked to take a break because the round was derailing, the judge said “no.” Aff. team felt disrespected, ignored and unsafe because of the judges conduct.

**Discovery:** Judge inappropriately interrupted the debate at multiple instances. Judges aggressive questioning of students further indicates a Rule 52 violation.

Rule 52 Section 1 – Be courteous to all

Rule 52 Section 4 – Display appreciation for good performance regardless of the team. Rule 52 Section 6 – Exercise self-control and reflect positively upon yourself, team and school.

**Committee Decision:** Judge was not assigned any more rounds during tournament. Tournament manager found this an “unforeseen circumstance” and no students were disqualified. A warning letter summarizing the Rule 52 violation should be sent from KSHSAA. Committee recommends the judge not be invited to judge in the future.

**Grievance:** Judge made inappropriate comments intimidating debaters.

**Discovery:** Based on testimony from the involved students and another judge, committee found the judge/coach made inappropriate comments in violation of Rule 52 which had the effect of intimidating competing students.

**Committee Decision:** Judge was removed from the judge pool. The head coach served as his replacement. Committee recommends building administrators follow up with coaching staff.

## **2020 5A - 2 Speaker State Debate Tournament**

**Grievance:** Negative read a piece of evidence with an incorrect published date. Neg said evidence was published on 1/8/20. The online article linked in their citation says it was published January 2019.

**Discovery:** Pg. 11. Sec 15J – alter content – date changes the content of the evidence

After the round, the Aff. Team wanted to read the full article, copied the line included in the citation and found that it had been cited incorrectly.

**Decision:** The committee determined that the grievance is valid and upheld under rule 15J. The negative team should forfeit the debate and receive a loss with zero ballots and 21 ranks. This is a large enough concern to justify forfeiture because it should not be a risk-free option to falsify evidence.

1. The 2NC read the tag line and author in the evidence and just read the bold words, not underlined.

**Response:** The 2NC read the tag line, the author and the date, all bolded and underlined portions of the card in question. Additionally, in the 1NC a first card on the argument was read in its entirety.

2. In the 1AR, Aff. pointed out that they clipped the card but the 2NR just stated that the bolded words were the same as the underlined and that it meant that the Aff. understood the card entirely. This was also followed by the Neg. stating that Aff. had the card on their laptops so they understood what they were trying to say.

**Response:** The only words/argument made by the 1AR was that the Neg clipped and that's bad. They did not share the words that were left out or the words that were allegedly omitted. Neg answered that they did not clip. The entire card was read in addition to the initial card which indicated the same argument. Neg also said that the full context of the card was present and shared with the Aff and welcome to the judge as well. There was no statement about understanding what Neg was trying to say. Neg said that they had the full card and could see the full context. Evidence was not changed or altered in its content.

**Decision:** Clipping is a difficult thing to prove without any specific details. Neither judge nor teams provided any specifics of how the Neg misrepresented the evidence in the debate. The Neg denies the claims and without specifics and proof of the opposite, the grievance cannot be upheld.

### **2020 3-2-1 A 2 Speaker State Debate Tournament**

**Grievance:** The negative took the affirmative case. Aff. team asked for it back before the 1NC. The Neg. team wouldn't give it back. Neg. team gave it back before the 2AC.

**Discovery:** Talked to both teams & judge

**Decision:** Committee upheld the grievance and the Neg. team took L on a 5 which was a reversal of judge decision.

### **2013**

December 2013 (Regional Debate) – 2 neg asked 1 affirm for copy of case and refused to return to affirm before 1 NC. 2 neg kept case and used it in 2 NC. When asked again 2 neg returned it to affirm during C-X of 2 NC. We claim this violates Sec 14 Sharing of Evidence. Grievance Committee said rule says “will” thus no room for negotiation. Neg 2 was given the loss.

December 2013 (Regional Debate) - In the final round Team A stated that Team B did not give evidence back before the next speech. Here is the caveat, Team A eventually agreed to let Team B keep it, but after Team B sort of brow-beat them into allowing them to keep it. Grievance Committee went to the manual under sharing of evidence, where it states “will be returned.” Committee felt the use of the word “will” did not allow for wiggle room whether or not the teams agreed or not. Team B given the loss. You can't mutually agree to disregard a rule.

October 2013 – My students, code 6C, were debating code 3B when my students left the room, they informed me that 3B was using their cell phone as a timing device. The phone rang during the round (it was setting on the desk throughout the debate). 3B did not answer the phone (they turned it off but if 3B had not been using it to time, the phone would not have rang. The use of a cell phone is prohibited per KSHSAA rules. – Debaters of the team 3B were questioned and admitted using cell phone as timing device. Grievance committee determined 3B should receive a loss with 7 speaker pts.

January 2013 – Neg team asked for evidence from Aff. Neg did not return prior to next speech. Instead Neg used Aff's evidence as script to make point-by-point arguments. When asked by Aff to give back, Neg gave portion back but kept a key advantage to use later. Neg team said they asked if they could keep a part of evidence and Aff didn't say no. Ruling by grievance committee – This incident is a clear violation of Section 14 “Sharing of Evidence”. Even with permission from opposing team, evidence should be returned prior to next speech by rule. Teams cannot mutually agree to disregard a rule. Grievance was upheld, loss of round on all 3 ballots with low speaker points given.

January 2013 – The Neg team deliberately and repeatedly lied concerning Aff's evidence as part of their Neg strategy. Coaching kids to lie to win is unethical, immoral, and harmful to the activity. Ruling by grievance committee – There is no clear rule violation. There was no way to verify any misuse of evidence. Grievance was not upheld.

January 2013 – While debating, a team was using their cell phone first as a timer and then between the rebuttal speeches, contestants were scrolling through information on the phone. This violates possible wired connections, page 9, c & d. Ruling by grievance committee – students admitted to using cell phone as timer in round. Loss of round and low speaker points awarded.

January 2013 – During the round, after the 3 minutes of cross-examination is over, timer goes off. Neg team said prep time and continued to ask questions. Both 2 NC and 1 NC speakers did this after each of their cross-examinations. Ruling by Grievance committee – After examining rules in the KSHSAA handbook we have found no violation of the stated rules about cross examination and prep time use. The committee finds that no action is necessary and judge's decision stands.