

An Open Letter to the Ohio Youth and High School Rugby Community,

Hello everyone, my name is Dan Hayes, and, over the last few years, I have had the pleasure of serving on the Board of Directors for The Ohio Youth Rugby Association, which you know as “Rugby Ohio.” There have been a number of emails, news articles, and press releases floating around regarding Rugby Ohio lately that, for reasons I hope to explain in this letter, have gone unanswered. As an outgoing board member who is not seeking reelection, I thought I might be in the best position to tell Rugby Ohio’s side of the story. That said, I want to make clear that I’m speaking only for myself and not for the organization as a whole. It’s a long story, but one worth reading if you are at all interested in the current state of rugby governance in the United States.

Rugby Ohio became the recognized State Rugby Organization (Hereinafter: “SRO”) for Ohio in 2007. This means USA Rugby tapped Rugby Ohio as its official governing body of Youth and High School Rugby in the State of Ohio eighteen years ago. In order to serve in this role, Rugby Ohio had to become an Ohio Non-Profit Corporation and be recognized by the IRS as a 501(C)(3) organization. To achieve this, Rugby Ohio had to adopt suitable Articles of Incorporation and Corporate Bylaws (Hereafter: “Articles and Bylaws”). Template forms for Articles and Bylaws were provided to Rugby Ohio by USA Rugby and those templates were used as written.

From 2007 to 2021, Rugby Ohio received annual contracts from USA Rugby to serve as the SRO for Ohio. At no time during this period was Rugby Ohio informed that the adopted Articles and Bylaws (the template forms provided by USA Rugby) violated any World Rugby policies or provisions.

As many of you know, USA Rugby underwent restructuring due to bankruptcy during the pandemic. As a result, in 2021, an organization called USA Youth and HS Rugby was created as a subsidiary of USA Rugby. From 2021 to present, USA Youth and High School Rugby became the overseer of State Rugby Organizations like Rugby Ohio. When the 2021 transition took place, Rugby Ohio was required to provide a copy of its Articles and Bylaws and to USA Youth and Rugby for approval. Rugby Ohio provided the documents (the template forms provided by USA Rugby) and was, once again, approved to serve as the SRO for Ohio by USA Youth and High School Rugby.

From 2021 to the present, Rugby Ohio received annual contracts from USA Youth and High School Rugby to serve as the SRO for Ohio. The current contract was signed in July of 2024 and expires on September 1, 2025. At no time from 2021 to Nov/Dec of 2024 was Rugby Ohio informed that its Articles and Bylaws (the template forms provided by USA Rugby) violated any World Rugby policies or provisions.

In November of 2024, a phone call took place including the President of USA Youth and High School Rugby and the President of Rugby Ohio. While it sounds as if this phone call marks the first time anyone from USA Rugby or USA Youth and High School Rugby ever told anyone from Rugby Ohio that there might be an issue with Rugby Ohio’s Articles and Bylaws, the two presidents dispute what was otherwise actually said and/or promised during that phone

call. In the end, while it doesn't ultimately matter whether USA Youth and High School's president was acting on a misunderstanding or acting in bad faith after that phone call, things went a little sideways between the organizations over the following couple of weeks. While everyone from both sides remained professional, it was clear there was some mutual hostility during subsequent interactions.

On December 23, 2024, Rugby Ohio's Board of Directors, for the first time ever, received a letter from USA Youth & HS Rugby that its bylaws and regulations (the template forms provided by USA Rugby back in 2007) were out of compliance with *World Rugby Bye-Law 6e*. Specifically, USA Youth & HS Rugby informed Rugby Ohio that it had to modify its documents to have the 'clubs' be the organization's members and have immediate elections to replace the sitting Board of Directors.

World Rugby Bye-Law 6e reads as follows:

6(e) Member Unions must ensure that elections to their governing body(ies) take place pursuant to a free and independent democratic process which conforms with applicable national legislation and the requirements of the Common Association Constitution.

The Ohio Revised Code requires voting members of a non-profit organization to be: 1) a natural person, 2) a different non-profit corporation, 3) a business corporation, 4) a limited liability company, or 5) a partnership. Since some of the clubs in Ohio do not fit any of these descriptions, Rugby Ohio believed changing the by-laws as demanded by Youth and High School Rugby would be contrary to national (Ohio, USA) legislation and therefore violative of *World Rugby Bye-Law 6e*.

USA Youth and High School Rugby informed Rugby Ohio that, while it understood the incompatibility of its demands with the Ohio Revised Code, Rugby Ohio should simply make it a requirement that teams organize themselves as a legally recognized entity that can lawfully serve as a member of Rugby Ohio and, if they didn't, they simply would not be permitted to be a voting member. Although Rugby Ohio believed then, and continues to believe now, that this approach was problematically unfair. Especially so considering the deadline USA Youth and High School Rugby placed on it to resolve the alleged 'non-compliance.' Notwithstanding, Rugby Ohio pressed forward to reorganize.

It is important to note that Rugby Ohio, as formed in 2007, is a completely legal non-profit corporation and recognized 501(c)(3). The demanded reorganization was not because there was anything wrong with Rugby Ohio as a legal entity, but because USA Youth & High School Rugby interpreted *World Rugby 6e* to require the organizational structure to change.

Consequently, the first major hurdle faced in the reorganization was USA Youth and High School Rugby's insistence that the entire board be put up for election immediately. All of Rugby Ohio's board members were mid-term. No board member had been accused of doing anything wrong. Therefore, in order to comply with the demands of USA Youth and HS Rugby, every member of Rugby Ohio's current board would have to resign voluntarily or be removed

without cause. While there was disagreement among members of Rugby Ohio's board as to whether each individual would voluntarily resign, it was pretty much agreed that none of us were willing to remove a volunteer non-profit board member without cause. To put this in perspective, Carlin Isles is a board member of Rugby Ohio. Would you want to go on record as voting to remove him from the Rugby Ohio Board without cause? While USA Youth and High School Rugby will say they never "told" Rugby Ohio it was required to remove board members without cause, there was no other way to comply with their demands if a Board Member refused to resign. Further, there were practical issues with re-electing the entire board. The Spring season was fully scheduled. Contracts for venues had been negotiated. Losing all of the institutional knowledge leading up to the season would undoubtedly impact the experience our players would have come March of 2025.

After explaining these difficulties to USA Youth and High School Rugby, a compromise was reached. Rugby Ohio was told that USA Youth and High School did not care how the new board was comprised so long as it was elected fair and democratically. It was fine with a 'transition board' that had members of the current board, so long as immediate elections were held and at least 2/3rds of the 'transition board' were newly elected members. USA Youth and High School Rugby gave Rugby Ohio a deadline of Wednesday, January 15 at 5PM to submit our plan for reorganization.

Rugby Ohio got to work. After hours of meetings and drafting of documents, Rugby Ohio submitted our plan more than 30 hours ahead of our deadline: January 14, 2025 at 9:50AM. The plan was for a fifteen-member board, with, ultimately, 8 Regional Directors (2 each from 4 regions), 1 At Large Director, and 6 Competition Directors (representing competitive divisions at all levels and genders of U19 play). It was a good plan. It was equitable to the various interests and regions across the state. It had a transition board of five current directors who would be replaced in August with 4 of the stated regional directors and the at-large director. It covered everything USA Youth and High School asked us to cover. We received no response from USA Youth and High School Rugby for nearly 24 hours. On Wednesday, January 15, 2025 at 8:58AM, we were informed that our plan was not acceptable because it contained too many directors. So, despite agreeing that our fifteen-member board plan was fair and democratic, and despite previous assurances that USA Youth and High School Rugby 'didn't care' how Rugby Ohio otherwise set up our board, Rugby Ohio was now being told that USA Youth and High School Rugby did, in fact, care how the board will be comprised and that Fifteen members would be a 'deal breaker'.

Ultimately, USA Youth and High School Rugby insisted that the maximum number of board members be Nine. Rugby Ohio got back to work. After hours of meeting and drafting documents, Rugby Ohio unanimously agreed to a nine-member board. Three current directors and Six newly elected directors would serve as a 'transition board'. In August another three directors will be elected to replace the 'carry-over' directors. This nine-person board plan was approved by USA Youth and High School Rugby and is the reason elections for board members are now happening mid-registration cycle.

So, that is the history.

Before I type what I'm about to say next, I want you to know that I truly believe the vast majority of everyone involved at USA Youth and High School Rugby and Rugby Ohio have been trying to do what they think is best for the young people playing rugby in Ohio. There is simply a disagreement on what is best.

In my view, this entire thing boils down to whether we are going to allow rugby to grow or whether rugby will continue to be an obscure sport in the United States. Before you think I'm insinuating that I find one of those things to be necessarily better than the other, I'm not sure I do.

I think there is a lot of good that comes out of a young person's involvement in an obscure sport. It's a more accessible and freeing experience when there isn't pressure to practice six days a week, or attend 50 camps in the summer, or play the same sport year-round, or be consistently beat out of playing time by kids who have the means and opportunity to attend elite camps, compete on travel clubs, etc. Is some of this stuff happening in rugby now? Yes. Is it as widespread as mainstream sports? Not even close. We, to the benefit of a lot of kids, remain a very accessible sport.

On the flip side of the coin, being an obscure sport has its downsides. It means rugby will stay small relative to other sports in the United States, it won't attract as many elite athletes, and will, ultimately, be less competitive globally.

If you are inclined to believe rugby needs to stay small to maintain its unique culture and heritage (something we can all agree is completely contrary to any mainstream sport in the US), the changes forced upon Rugby Ohio are probably a step in the right direction in terms of your beliefs. If, on the other hand, you are inclined to believe rugby needs to become a mainstream sport and become competitive globally, the changes forced upon Rugby Ohio are probably a step backward in terms of what needs to happen to make this outcome a reality.

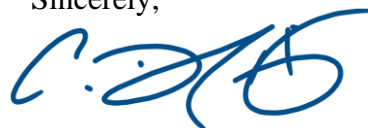
Why do I say this? I believe having a board of directors who are routinely elected by teams competing in the organization's competition will be problematic for the administration of Rugby Ohio. It is a recipe for instability. Who would want to rely on the whims of a collective of rugby teams for job security? That is what will be asked of our future executive director(s). This will restrict the quality of the candidates who apply for that position to a very large degree. Once hired, it will be very difficult for the executive director to make unpopular decisions that would, despite the short-term pain potentially caused, be strategically wise in the long term. Put simply, when leadership doesn't have the freedom to lead, it is incredibly difficult for growth to occur. That is where I believe our recent re-organization has left us. And, who knows, maybe that is okay.

The point of this letter is to provide some context to the stories you may have seen floating around about Rugby Ohio. The reason you haven't heard anything from anyone at Rugby Ohio before now is because every time we thought we had a clear path forward, it seemed the goalposts were moved. Now that the situation is resolved, I felt it was appropriate to reach out and provide some details.

In parting, here's what I want you to know:

1. Having served with the outgoing board and current staff for a number of years, I can attest to the fact that they are all very good people attempting to do the very best they can for rugby in Ohio. It has truly been an honor to serve alongside them.
2. Having now worked closely with the Board of USA Youth and High School Rugby over the last few weeks, I can attest to the fact that, despite our disagreements, they too seem to be good people trying to do what is best for rugby in the United States.
3. Rugby Ohio didn't do anything 'wrong' or 'illegal' to bring about the change forced upon it by USA Youth and High School Rugby. Rugby Ohio was simply operating under the same articles and bylaws provided as a template by USA Rugby and repeatedly approved by USA Rugby and USA Youth and High School Rugby from 2007-2024. It's also interesting to note, there are multiple SROs around the country who continue to operate with the same, allegedly non-compliant, articles and bylaws that Rugby Ohio was recently forced to change.
4. While I believe the board structure recommended by USA Rugby, and adopted by Rugby Ohio back in 2007 was better for the future of rugby in the United States, I can understand why some people would disagree.
5. While I believe Rugby Ohio's first proposal (the fifteen-member board) was better designed and more equitable for our future, I fully trust the directors installed on the new nine-member board will do their best to make sure all stakeholders are considered.
6. I wish them, and all of our teams, nothing but the best moving forward.
7. Lastly, having worked in a number of non-profits over the years, I am concerned that the speed at which this organizational restructuring was forced to occur will eventually reveal some flaws in the new design. It takes a lot of time and effort to try and work through all the unintended consequences changes like this can create. I do not feel like Rugby Ohio was provided time to do that. We should be prepared for this to be a clunky ride for a while. Let's be patient and gracious to the new board members.

Sincerely,



Dan Hayes
Board Member
Resignation Effective February of 2025