

Letter to the NACD BoD

Two years ago I stood before the membership at the annual seminar and stated that the NACD must have a degree of transparency. This use of the term transparency must not be in contradiction to a confidentiality agreement signed by each member of a committee or the officers of the organization.

The intent of the agreement is to protect the members and the organization. Part of this agreement refers to the use of social media without first having board approval (paragraph 4).

However since many of the NACD Board meetings are open to the public it is expected that much information will find its way to such discussion forums. Because of this, some meetings are held in what is known as Executive Sessions. In these sessions confidential matters may be discussed. Such discussions must fall under the intent of the Confidentiality Agreement preventing the release of protected information, that of a member or as an organization as a whole.

To make a statement that there is an investigation in process in itself is not a violation of the agreement, however to make public the subject material of an investigation could be a breach of that agreement as well as affect the outcome of any hearing related to the investigation.

In consideration to possible harm that may come to a member or the NACD as an agency; officers of the NACD must weigh the consequences. Where public safety and liability is a concern each officer of the NACD must consider our responsibilities to the NACD, its members and the greater public.

Recently three members have chosen to resign from the NACD and have made announcements on social media forums such as their facebook pages. I believe in so doing they still continued to honour the confidentiality agreement.

We have seen the cause and effect of not responding to social media and the harm that it has caused. Keeping within the terms of the confidentiality agreement and respectful to our members both past and present I have prepared a news release which with your approval we will post on our website, our facebook page and on a select social media format, to which I propose Scubaboard and perhaps Cave Diver Forum.

Below is a copy of what I believe should be released and will include this lead in for no other reason than to demonstrate our process to be used when issuing a public communiqué. So with your approval I submit the following:

Rick Murcar,

President

NACD Public Communiqué

In view of the recent board of directors meeting held on 11 April 2015 at Ginnie Springs. The NACD has decided to prepare and release a statement summarizing the events of that evening.

As has become public knowledge, at this time three members of the NACD Board of Directors and the Operations Officer Resigned from their positions.

On 9 April 2015 these members had communicated to myself they were considering submitting their resignation citing their personal reasons. It is not a requirement for an officer of the NACD to provide their reasons for resigning but only to state in writing that they wish to resign. I respect and appreciate their courtesy in doing so and for providing advance notice.

During the open meeting the agenda items were discussed, committee reports provided, a few motions were made, discussed, and voted on. One item of concern and discussion was the NACD Annual Safety Day which resulted in some exchange of words between the incumbent training director and the previous training director. The discussion was based on who was the officer of primary interest having responsibility for coordinating this event and nothing more. For those who need to know, Safety Day is the responsibility of the Training Director and the Training Committee. However this was not the cause nor reason for the three members initially considering resignation as explained to me prior to this day.

Due to time constraints allowing access to the room and one of the board members having to depart early, it was decided to not discuss "New Business" items of the agenda and following a short pause to go into Executive Session.

The contents of the executive session I cannot and will not discuss as this could be a violation of the confidentiality agreement.

During the evening's events, Mr. Michael Angelo Gagliardi aka MAG as many refer to him as, handed me his already prepared letter of resignation. I make note that to the very end Michael contributed to the betterment of the NACD and much of his ideas will be seen at the 2015 Annual Seminar. Michael's wife Zelda in support of Michael felt it important to step away and also resigned as the Operations Manager. Later discussion suggests it was a difficult choice for them but one they felt they needed to make. The NACD thanks them for their contributions, they are both committed people and we wish them both the best of health and future blessings.

On 12 April 2015 an e-mail of resignation was sent by Mr. Jeff Bauer. Jeff has fulfilled many of the positions on the NACD Board with the most noted position that of the President. The position of president is a consuming position requiring much personal time. Jeff has many things going on in his personal life deserving his attention and with the ongoing Ebbs and Tides drama of the cave community to which the NACD is mired in, it is understandable that Jeff chooses to resign. To Jeff and Jacki and your family of Sapiens the NACD thanks you for your extended service and commitment, we wish you the best in the future.

On 12 April 2015 Mr. Rob Neto submitted an e-mail with his resignation. Rob was recommended to the NACD board of directors to become the agency's Training Director by Larry Green the former incumbent. During his time Rob has worked reviewing the NACD training standards, developed a sidemount program and initiated a pilot Rebreather Program. These programs will continue. Rob has demonstrated many times and worked hard towards the success of the NACD. Yes Rob and Larry had a disagreement during the open portion of the meeting but like gentlemen they handled it in a professional manner. Like the others mentioned here, Rob we thank you for your service.

General Comment: The Training Director position of a cave training agency is one always surrounded by controversy. The NACD and the NSS-CDS appear to share this fate. This goes hand in hand with the atmosphere of distrust and egos so commonly found within the Florida and other cave communities. There are no conspiracies here as much as some, the conspiracy theorists, would like to portray and seem to relish on the making of the dramatics known as cave politics.

It is known that an investigation was in process. The NACD does not take standards violations lightly and no member is considered exempt or immune to the Standards and Procedures, our by-laws and Professional Code of Ethics. There are processes that must be followed and the rights of the individuals respected. In the case of a standards violation there are three choices, probation, suspension and expelled.

PROBATIONARY STATUS

A teaching status member may be placed in probationary status due to violations of NACD standards. Additional violations of standards during probationary status may result in a suspension or termination of membership. A member in probationary status is authorized to teach NACD courses and certify NACD divers and continue to receive all benefits of membership until further action is taken and a decision is reached regarding the allegations which resulted in the probationary status designation.

SUSPENDED STATUS

When a member's conduct is deemed detrimental to the organization as the result of an ethics committee investigation/formal hearing, the member may be suspended. Examples of actions that result in suspension include:

1. Gross violations of NACD standards, which jeopardize the safe conduct of students in training.
2. Non issuance of student certification when all requirements for certification have been satisfactorily completed.
3. Financial irresponsibility in transacting business with the NACD.
4. Wrongful discrimination against the NACD organization or its members.

5. Failure to respond to official quality assurance inquiries.

6. Criminal activity (suspension will occur upon learning of an arrest or citation issued).

A member assigned a suspended status is not authorized to represent himself or herself as an NACD instructor, to teach NACD courses or to certify NACD divers. Nor may they take advantage of any other benefits of instructor membership.

EXPELLED STATUS

When a member's conduct is considered to be harmful to public safety or is deemed detrimental to the cave diving community/professions, the organization or its members, by the NACD Ethics Committee and no favorable resolution is possible, the member will be expelled. Examples of action that can result in a member being expelled include:

1. Willfully or knowingly violating NACD standards and or compromising the safety of students in training
2. Wrongfully discrediting the organization, its officers, staff; or other members.

In Closing:

The NACD has investigated a complaint which alleged violations of NACD Standards and Procedures, and Ethics, by Rob Neto. After considering the report and recommendations of the investigator assigned to evaluate the complaint, the NACD Board of Directors, on a three to one vote, suspended Mr. Neto as an NACD Instructor, pending a formal hearing on the charges.

Thank You

Rick Murcar

President

National Association for Cave Diving