



Minutes

July Board Meeting

📅 Mon July 26th, 2021

🕒 7:30pm - 9:30pm EDT

📍 Zoom Conference Call

👥 In Attendance

Charlie Arms, Henry Brauer, Paul Cayard, Clerc Cooper, Rich Jepsen, Russ Lucas, Katie Pettibone, Briana Provancha, Tony Rey, Bill Ruh, Judge Ryan, John Schoendorf, Cory Sertl, Martine Zurinskas

I. **Call to Order and Roll Call**

Excused: Maggie Shea

Guests: 38 including staff.

II. **Announcements - President's Report**

Cory Sertl, President, thanked everyone for being on today's call. She shared a few updates from WS CEO David Graham who is in Tokyo regarding the great job the Japanese organizers are doing in managing the event. Additionally, she thanked the staff for putting together the dedicated US Sailing Olympic website page allowing everyone to staying up to date on the results and action.

III. **Consent Calendar**

Decision: Vote #4: Motion to approve, unanimously approved.

a. **BAR20210726 World and NA Championships Approval**

b. **BAR20210725 Committee Member update July 2021**

c. **Minutes from June 28th Meeting**

d. **BAR2021724 - Minor Correction to Regulation 10.06B**

IV. **CEO Report**

Alan Ostfield, CEO, shared updates regarding his trip to Chicago with Rich Jepsen. He thanked Offshore Chair Matt Gallagher for his hospitality and for facilitating meetings with key constituents in the Chicago area. A highlight of the trip was the opportunity to connect with sailors and seeing the passion people have for sailing. He noted for the business, our opportunity is to leverage that passion to serve our constituents in order to make a difference in the community.

Additionally, he shared we are looking to fill three positions at US Sailing. The first leadership position is the head of corporate partnership. This role will be responsible for driving deals and partnership to help leverage the passion that exists in sailing. The second position is head of membership. This role will be responsible for defining, highlighting, and ensuring every sailor knows why they should be a member of US Sailing. These two positions will round out the executive team at US Sailing. The third position will be in the Offshore department. Currently, we are not in a position to hire a head of Offshore as the committee and executive team are still assessing the structure for this area. But, we do realize we need to hire someone permanently with technical expertise to assist John Pearce.

a. **Association Report**

Association report stands as submitted. Full report can be found, [HERE](#).

V. **CFO Report**

Heather Monoson, CFO, shared we've had a phenomenal couple of months and are turning the corner from a top-line perspective. We have an aggressive fundraising goal and are currently exceeding our budget. Additionally, there have been strong publication sales and currently exceeding our sponsorship budget. We are under budget from an expense standpoint but realize there will be heavy spending in the coming months, especially with the Games. Cash Flow is looking positive, and we have 4-months of cash on hand; this is the best cash position we have had in the last two years.

John Schoendorf, Treasurer, shared this is the best reporting he has seen and noted the auditors are extremely confident with our current financial handling. There are two outstanding Audit items that should be completed by end of the week and hopes to get board approval by the end of August.

VI. **Vice Presidents Report**

Rich Jepsen, Vice President, shared similar sentiments as Alan to the hospitality provided during their Chicago trip and gave thanks to Matt Gallagher. He shared it was a great opportunity to introduce Alan to the sailing scene and meet with leaders in the Midwest. They had productive conversations and received actionable feedback that Alan will review with staff leadership and prioritize. He noted he is planning to connect with each board member later this Fall to provide opportunities to discuss what is important to them and expectations as we look towards next year.

VII. **Olympic Update**

Paul Cayard, Executive Director of Olympic Sailing, gave a high-level update and observation on the Olympic program including spending time with the ODP team at Skiff North Americans and Laser North Americans. The Games are currently underway and he is heading to Tokyo on Wednesday to observe the team in action. Due to the ever-changing rules and regulations surrounding these Games, credentials were difficult to obtain and priority was given to coaches which is why he is one of the last people to fly over. He is looking forward to the opportunity to engage with the Team at the venue. While he is on the ground, he will be hosting 3 donor calls for our top donors so they can get a feel for what is happening on the ground.

Additionally, 8 ODP athletes along with coaches Charlie McKee, Anna Tunnicliffe Tobias, and Leandro Spina are in Marseille doing recon as we look towards the 2024 Games. We are working to put together thoughts and strategies on how to raise the bar for the support of athletes and coach development.

VIII. **Secretary Report**

a. **Annual Meeting update November 11-13**

Very draft agenda - save the date.

The Board meeting and annual meeting will be in the Bristol, RI area on November 12 and 13. Additional details will be shared in the coming month but the intent is to have a Stakeholder Summit type of event on Saturday, November 13.

IX. **World Sailing Submissions**

Cory thanked all the volunteers who have worked tirelessly on these submissions.

a. **BAR20210722 - World Sailing Nominations**

International Race Officer: Becky Ashburn, Las Vegas, NV

International Measurer: Curt Barnes (Ionia, NY) - International Measurer for the J/24 class

Decision: Vote #1: Motion to approve, unanimously approved.

b. **BAR20210711 - World Sailing Submissions Appeal Committee**

A question was poised to Dave Perry regarding the timeline for Rule 18. Dave explained the process and how it is now a World Sailing work party. They have sent out a survey to Class Associations and Race Officials and will submit a report to the rules committee in September. They hope to test the rule next summer.

Decision: Vote #2: Motion to approve, unanimously approved.

c. **BAR20210713 - World Sailing Submissions US Racing Rules Committee**

Submitted by: Peter Wilson and Dick Rose

Decision: Vote #3: Motion to approve, unanimously approved.

X. **Old Business**

a. **DRAFT Bylaws Update July 2021**

This is a draft of the proposed BYLAWS update initiated in May 2021. We will approve at the August meeting.

We will not be approving the Bylaws update during the call tonight. Due to the many proposed changes and redlining of the document, we breakdown the changes in sections to approve.

b. **BAR20210625 - RO Revision to Application and Certification**

This item was presented at the June 28, 2021 meeting.

Decision: Vote #5: Motion to approve, unanimously approved.

c. **BAR20210625 RO Reports and Complaints Policy Draft V7**

This item was presented at the June 28, 2021 meeting

Decision: Vote #6: Motion to approve, unanimously approved.

XI. **New Business**

a. **Nomination Committee - Board Slate 2021 Election**

Nominating committee chair Martine Zurinskas put forth the following 2021 election nominations:

- Rich Jepsen - President-elect, Chair of the Board (3-year term)
- Stan Honey - Elected Director (1-year sub term)
- Charlie Arms - Elected Director - Secretary (3-year term)
- John Schoendorf - Elected Director-Treasurer (4-year term)
- The Sailor Athlete Council will also be electing 2 positions to our Board this Fall.

She noted the reason for the 4-year Treasurer term is so there would be a 1-year overlap with the incoming president term. Additionally, she noted Gary Jobson, Bruce Bruton, and she will be rolling off the nominating committee, and if anyone has any suggestions for new members to please reach out.

XII. Executive Session

XIII. Adjourn

Motion to Adjourn at 9:29 pm.

Action Request Form



Request No. BAR20210726 **Date Submitted** 7-26-2021

Submitted By: ___Martine Zurinskas, US Sailing Secretary

Subject:___ World & Continental Championships _____

Action Requested (word this in resolution form):

Resolved, that the US Sailing Board of Directors gives its approval, pursuant to World Sailing Regulation.10 and 25, to the following world championship in the United States:

Class	Name of Event	Date	Host	Host a Member	Class a Member
Varied Classes	Grand Slam USA (Match Racing)	August 6- Sept 4, 2021	Oakcliff Sailing Seawanhaka Corinthian YC Bayview YC Chicago YC	Yes	YES

Strategic Plan Alignment: Describe below how and why this is aligned to the current strategic plan.
Encourages high-level competition in the US.

Mission Impacts: Describe below how and why this creates value to our organization.

Opportunities for our sailors, host organization and race officials to compete and support competition at the highest level within this specific class.

Member Impacts: Describe below the impacts (i.e. Will it be seen as a member benefit or not? Explain)
Class Association and Host organization membership are current.

Will this proposal bring in new members? ☐ Yes, _____Estimated Number ☐ No
☒ Unknown

Financial Impacts: Describe below any expected financial impacts on US Sailing. Include figures.
Small potential impact on membership.

Implementation Strategy/Ownership: Describe the implementation for the actions/changes that will be initiated by approval of the BAR, including communication plans, process revisions, responsible parties, etc.

Email will be sent to the host organization and class association informing them of the approval.

Summary:

This is part of our Strategic Plan – Vision for the Future of Sailing – driven by American success in international competition– hosting World Championships is part of that American Success for the sailors, volunteers and host organizations.

I certify that this proposal has been checked. Governing Documents affected:

- | | |
|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Committee Terms of Reference |
| <input type="checkbox"/> Championship Conditions | <input type="checkbox"/> Ted Stephens Act |
| <input type="checkbox"/> Regulations | |

Submitted by _____Martine Zurinskas, US Sailing Board_____



Action Request Form

Request No. BAR20210725

Date Submitted: 7-25-2021

Submitted By: Martine Zurinskas

Subject: Committee Member Updates

Action Requested (word this in resolution form):

Be it resolved, to approve these committee members as presented:

John Nekus: Multihull Committee Member at large.

Member Impacts: Describe below the impacts (i.e. Will it be seen as a member benefit or not? Explain)
Any perceived positive effects: Expanding and refreshing our committees promotes volunteer service.

Will this proposal bring in new members?

☐ Yes, Estimated Number ☒ No ☐ Unknown

Financial Impacts: Describe below any expected financial impacts on US Sailing. Include figures.
Positive effects Neutral
Negative effects: Neutral

Implementation Strategy: Describe the implementation for the actions/changes that will be initiated by approval of the BAR, including communication plans, process revisions, responsible parties, etc.

Any perceived negative impact:

None – expanding our outreach of the committee roles within our organization.

I certify that this proposal has been checked. Governing Documents affected:

- | | |
|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Committee Terms of Reference |
| <input type="checkbox"/> Championship Conditions | <input type="checkbox"/> Ted Stevens Act |
| <input type="checkbox"/> Regulations | |

Submitted by Martine Zurinskas

Board Action Request Form



Request No. [20210724](#) (assigned by Secretary

Date: 24-Jul-2021

Submitted by: Matt Hill and Clark Chapin

Subject: Correction to US Sailing Regulation 10.06 B

Action Requested (word this in resolution form:

The Board of Directors revises Section 10.06 B 2 of the US Sailing Regulations to read as follows:

B. US Sailing Championship qualifying events:

1. Require the appointment of a certified US Sailing Regional Race Officer. However, a certified US Sailing Club Race Officer may serve as Principal Race Officer with the approval of the Area Race Officer (ARO) and the Area Championship Representative if a Regional or National Race Officer acts as Deputy Race Officer (DRO).
2. Require the appointment of a certified US Sailing ~~Judge~~ [Regional Judge](#) or National Judge as chief judge.

...

Member Impacts: Describe below the impacts (i.e. will it be seen as a member benefit or not? Explain)

None. Corrects wording to conform to current practice

Any perceived negative effects? [Click or tap here to enter text.](#)

Will this proposal bring in new members: ☐ Yes. Estimated Number: [Click or tap here to enter text.](#)

☒ No ☐ Unknown

Mission Impacts: Describe below how and why this creates value.

No impact (be specific): Merely conforms to current practice

Financial Impacts: Describe below any expected financial impacts on US Sailing. Include figures.

Positive effects: None

Summary: Minor correction to this regulation

I certify that this proposal has been checked and the following governing documents are affected:

- | | |
|---|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Championship Conditions |
| <input checked="" type="checkbox"/> Regulations | <input type="checkbox"/> Ted Stephens Act |

Submitted by: Clark Chapin, Chair, US Sailing Bylaws Committee



Action Request Form

Request No. _____ BAR20210722 Date Submitted: _____ 7-22-2021

Submitted By: _____ Matt Hill, US Sailing Staff _____

Subject: _____ World Sailing Submissions

Motion to approve the nomination of the following to initial certification as World Sailing International Race Officials:

International Race Officer: Rebecca Ashburn, Las Vegas, NV
International Measurer: Curt Barnes (Ionia, NY) – International Measurer for the J/24 class

Member Impacts: Describe below the impacts (i.e. Will it be seen as a member benefit or not? Explain)

Any perceived positive effects:

More international Race Officials and Measurers a positive thing for US Sailing to achieve this level of certificate and depth of International talents.

Any perceived negative effects: None.

Will this proposal bring in new members?

☐ Yes, _____ Estimated Number ☒ No ☐ Unknown

Mission Impacts: Describe below how and why this creates value.

Positive impact (be specific):

No impact (be specific):

Financial Impacts: Describe below any expected financial impacts on US Sailing. Include figures.

Positive effects : None

Negative effects: None

Summary: These candidates presented to the board for approval. Matt Hill will submit to World Sailing by 9/1/2021 deadline.

I certify that this proposal has been checked. Governing Documents affected:

- | | |
|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Committee Terms of Reference |
| <input type="checkbox"/> Championship Conditions | <input type="checkbox"/> Ted Stephens Act |
| <input type="checkbox"/> Regulations | |

Submitted by _____ Matt Hill, MatthewHill@USSAILING.ORG _____



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To: US Sailing Board of Directors
From: Matthew Hill, Race Administration Director
Re: Nomination for International Race Officials
Date: July 20, 2021

The Race Administration Division submits the following members to the Board of Directors for US Sailing's endorsement of their applications to be World Sailing International Officials:

Rebecca Ashburn (Las Vegas, NV) – International Race Officer

Becky Ashburn has been a National Race Officer since 2018 and is a member of the Race Management Committee and the Race Officers Training and Certification Subcommittee. A professional educator, she has been deeply involved in developing and teaching US Sailing's online Basic Race Management Seminar, Advanced Race Management Seminar and Club Judge Seminar and has presented at the Sailing Leadership Forum.

A racing sailor since childhood and a former level B Sailor Athlete, Becky started racing multihulls in high school. She also raced on monohulls, but in her words, she "kept looking around for a trapeze wire and the other hull!" She has raced in J/120 North Americans, Holder 20 North Americans, Acapulco Challenge, Hobie Worlds, and several Hobie NACs.

As a PRO, Becky's major events over the past few years include the Detroit Cup International Match Race, J/111 Worlds, US Sailing Junior Women's Doublehanded Champs, Hobie North American Championships, Moth North Americans & Kiteboarding Pan American qualifiers and the LEMWOD in Long Beach. Other race committee highlights include 5 years at the Sailing World Cup Series in Miami, Extreme Sailing Series, Youth Sailing World Championships, Chicago-Mackinac Race, and the MEXORC in Puerto Vallarta.

Becky was the 2020 winner of the Southern California Yachting Association's Mort Bloom Trophy for excellence and commitment to race management.

The Race Management Committee recommends Becky Ashburn for International Race Officer.

Curt Barnes (Ionia, NY) – International Measurer for the J/24 class

Curt Barnes is currently a class measurer for the J/24 class, as well as chair of the J/24 Class US Technical Committee and a member of the J/24 Class International Technical Committee. He has been measuring J/24s since 1995.





Curt grew up and learned to sail 505s and Flying Dutchmans as a teenager in the Finger Lakes region of upstate New York. After college he went to work for Mark Lindsay Boatbuilders in Boston, where he learned how to build dinghies with epoxy.

After beginning a career building homes, Curt began sailing J/24s in the early 1990s. He has owned eight or nine J/24s since then and has sailed in the same number of world championships. He is currently a construction consultant for a large firm that builds homes in Africa and Central America.

His recent major J/24 measurement assignments include Chief Measurer at the 2019 Nationals in Rochester, NY, Assistant Chief Measurer for the 2019 Worlds in Miami and Chief Measurer for the 2021 North Americans in Sayville, NY. He also has experience measuring Sonars.

The Measurers & Equipment Measurers Committee recommends Curt Barnes for International Measurer for the J/24 class.





Action Request Form

Request No. _____BAR20210711

Date Submitted: _____7-11-2021

Submitted By: _____Dave Perry, Chair of Appeals Committee _____

Action Requested (word this in resolution form):

Motion to approve the submitted Appeals Committee submissions to World Sailing-
Appeal 119 June 16, 2021
Appeal 120, June 16, 2021
Appeal 67,82 and 124, June 16, 2021
Submission of Question 125, June 16, 2021

Member Impacts: Describe below the impacts (i.e. Will it be seen as a member benefit or not? Explain)

Any perceived positive effects: none

Any perceived negative effects: none

Will this proposal bring in new members?

☐ Yes, _____ Estimated Number ☒ No ☐ Unknown

Mission Impacts: Describe below how and why this creates value.

Positive impact (be specific):

Appeal Committee doing their job to present to World Sailing submissions.

No impact (be specific):

Financial Impacts: Describe below any expected financial impacts on US Sailing. Include figures.

Positive effects: none

Negative effects: none

Summary:

Appeals Committee submission to World Sailing 2021.

I certify that this proposal has been checked. Governing Documents affected:

- | | |
|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Committee Terms of Reference |
| <input type="checkbox"/> Championship Conditions | <input type="checkbox"/> Ted Stephens Act |
| <input type="checkbox"/> Regulations | |

Submitted by _____Dave Perry, davperry@optonline.net_____



Action Request Form

Request No. _____BAR20210713

Date Submitted: _____7-13-2021

Submitted By: _____Peter Wilson, Chair of Racing Rules Committee _____

Action Requested (word this in resolution form):

Motion to approve the submitted Racing Rules Committee submissions to World Sailing-

- Definition of Finish
- Rule 32 (Shortening or Abandoning after the start) and Race Signal S
- Rules 44.1 (Taking a Penalty) and new Rule 44.4 (post race Penalty)
- Rule 44.3 (Scoring Penalty)
- Rule A10 (RAF- Retired after Finishing)

Member Impacts: Describe below the impacts (i.e. Will it be seen as a member benefit or not? Explain)

Any perceived positive effects: none

Any perceived negative effects: none

Will this proposal bring in new members?

☐ Yes, _____ Estimated Number ☒ No ☐ Unknown

Mission Impacts: Describe below how and why this creates value.

Positive impact (be specific):

Racing Rules Committee doing their job to present to World Sailing submissions.

No impact (be specific):

Financial Impacts: Describe below any expected financial impacts on US Sailing. Include figures.

Positive effects: none

Negative effects: none

Summary:

Racing Rules Committee submission to World Sailing 2021.

I certify that this proposal has been checked. Governing Documents affected:

- | | |
|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Committee Terms of Reference |
| <input type="checkbox"/> Championship Conditions | <input type="checkbox"/> Ted Stephens Act |
| <input type="checkbox"/> Regulations | |

Submitted by _

Peter Wilson, Chair peterwilson186@gmail.com and Dick Rose, dickrose123@gmail.com _



Action Request Form

Request No. BAR20210625

Date Submitted: 6/25/2021

Submitted By: Justin Sterk

Subject: Revision to US Sailing's Race Official application and certification process

Action Requested (word this in resolution form):

That the Board of Directors approve the attached recommendations from US Sailing's working group on Race Official Personal Attributes Standards (the "Working Group").

The Working Group was chaired by Justin Sterk and Matt Hill and consisted of the following volunteers:

- Charlie Arms
- Clark Chapin
- Bruce Cook
- Fred Hagedorn
- Tom Hubbell
- Robert Lane
- Dave Perry
- Katie Pettibone
- Hank Stuart

Member Impacts: Describe below the impacts (i.e. Will it be seen as a member benefit or not? Explain)
Any perceived positive effects:

US Sailing's certification process for race officers, judges, and umpires (collectively, "Race Officials") each include a general requirement that the applicant possess personal character and integrity. US Sailing identified (1) that this requirement is poorly defined and understood by membership, and in some cases US Sailing's certifying committees, and (2) the need to provide clarity to our membership and certifying committees with respect to how that element of the application process is evaluated.

This policy improves US Sailing's Race Official certification process as follows:

- Incorporates defined terms and standards for evaluation criteria related to an applicant's character and integrity.
- Incorporates a detailed process by which US Sailing will evaluate an applicant's character and integrity. The process includes an independent review by a US Sailing ethics committee of an applicant's record and, when an applicant is denied certification due to character or integrity issues, a written decision from the reviewing committee detailing its decision and the applicant's rights.

Any perceived negative effects: No.

Will this proposal bring in new members?

☐ Yes, _____ Estimated Number

☐ No

☐ Unknown



Mission Impacts: Describe below how and why this creates value.

Positive impact (be specific): [See Member Impacts.](#)

No impact (be specific):

Financial Impacts: Describe below any expected financial impacts on US Sailing. Include figures.

Positive effects

[Unknown.](#)

Negative effects:

[None.](#)

Implementation Strategy: Describe the implementation for the actions/changes that will be initiated by approval of the BAR, including communication plans, process revisions, responsible parties, etc.

[Implementation of this policy will require the following:](#)

- [Revision of Race Official certification materials.](#)
- [Revision of US Sailing background check policy for race officials.](#)
- [Revision of US Sailing Bylaws to align with restructured governance/ethics committee designation.](#)

Any perceived negative impact:

Summary:

I certify that this proposal has been checked. Governing Documents affected:

- | | |
|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Committee Terms of Reference |
| <input type="checkbox"/> Championship Conditions | <input type="checkbox"/> Ted Stevens Act |
| <input type="checkbox"/> Regulations | |

Submitted by: [Justin Sterk](#)

US Sailing Race Official Personal Attributes Requirements

Objective: Revise the language of the requirements for Race Officers, Judges, Umpires, Measurers, and Classifiers (collectively “**Race Officials**”) that addresses evaluation process for a Race Official’s “personal attributes” and define the process for determining whether those requirements are met.

I. TERMS

Ethical Principles = Conforming to accepted standards of conduct.

Fairness = Impartial and just treatment or behavior without favoritism or discrimination.

Honesty = Free of deceit and untruthfulness; sincere.

Integrity = The quality of being honest and having strong Ethical Principles.

Judicial temperament = Compassion, decisiveness, open-mindedness, sensitivity, courtesy, patience, freedom from bias and commitment to equal justice.

Misconduct = Unacceptable or improper behavior, or a pattern of such behavior, that is inconsistent with honesty and strong Ethical Principles.

Reportable Information = Documentation of conduct that may adversely affect an application. Reportable information may include but is not limited to:

1. Criminal conviction(s) on Background Checks
2. Listing on a Sex Offender registry.
3. Reference suggesting an instance or pattern inconsistent with **Integrity, Honesty, Fairness, Judicial Temperament**, or maintaining confidentiality.
4. Reference suggesting **Misconduct**.

II. Race Official Personal Attributes Requirements

- a. In addition to the required knowledge and skills related to sailboat racing and SafeSport competency, all people certified as Race Officials shall have the highest personal and professional attributes as evidenced by the following:
 - i. Having one or more references addressing any knowledge of items ii-vii, as well as technical skills references as required for the particular certification. US Sailing may request additional references.
 - ii. Have a favorable review according to US Sailing Policy on Background Checks for Race Officials.
 - iii. Have no record indicating lack of **Honesty, Integrity, and Fairness**.
 - iv. Have no record indicating an inability to maintain confidentiality.
 - v. Have no record of **Misconduct**.
 - vi. Have demonstrated **Judicial Temperament**.
 - vii. Attestation to not having been denied participation in, and/or not having resigned from, any organization because of unprofessional, improper, or unlawful behavior.

III. Procedure For Evaluating Personal Attributes

- a. Staff and relevant certifying committee collects application materials, including:
 - i. Confirmation of membership, SafeSport certification, and required Race Official certification courses.
 - ii. Background check in accordance with US Sailing policy on background checks for race officials.
 - iii. Application includes an attestation to not having been denied participation in, and/or not having resigned from, any organization because of alleged unprofessional, improper, or unlawful behavior.
- b. US Sailing Compliance Manager reviews applicant's background check.
 - i. If the background check returns **Reportable Information**, the Compliance Manager may send the matter to the US Sailing Governance & Ethics Committee for an individualized assessment of whether the **Reportable Information** is such that the application shall be denied. See Section IV.
 1. If the Governance and Ethics Committee's individualized assessment is favorable, the application will be forwarded to the relevant certifying committee to assess application for technical qualifications.
 2. If the Governance and Ethics Committee's individualized assessment determines an applicant shall be denied, the US Sailing Race Administration office will issue a written decision notifying the applicant of the Governance and Ethics Committee's decision, the reasons for the decision, and any recourse available to the applicant pursuant to Section IV.
 - ii. If no **Reportable Information** is found, the application shall advance to the relevant certifying committee under Section III(c).
- c. Relevant certifying committee reviews application.
 - i. Checks Reference(s) and other qualifications.
 - ii. Considers applicant's technical abilities.
 1. If relevant certifying committee feels applicant meets technical qualifications, committee will consider applicant's **Integrity**.
 2. If relevant certifying committee feels applicant does not meet technical qualifications, the application will be handled according to the certifying committee's normal certification procedures.
 - iii. Considers applicant's **Integrity**.
 1. If the relevant certifying committee feels the applicant meets the technical qualifications and the standards for **Integrity**, the application will be approved and the applicant notified by the US Sailing Race Administration office.
 2. If the relevant certifying committee becomes aware of any issues relating to the applicant's **Integrity** that it feels calls the application into question, the certifying committee shall send the matter to the Governance and Ethics Committee for review and individualized assessment under Section IV.

IV. Governance and Ethics Committee Review

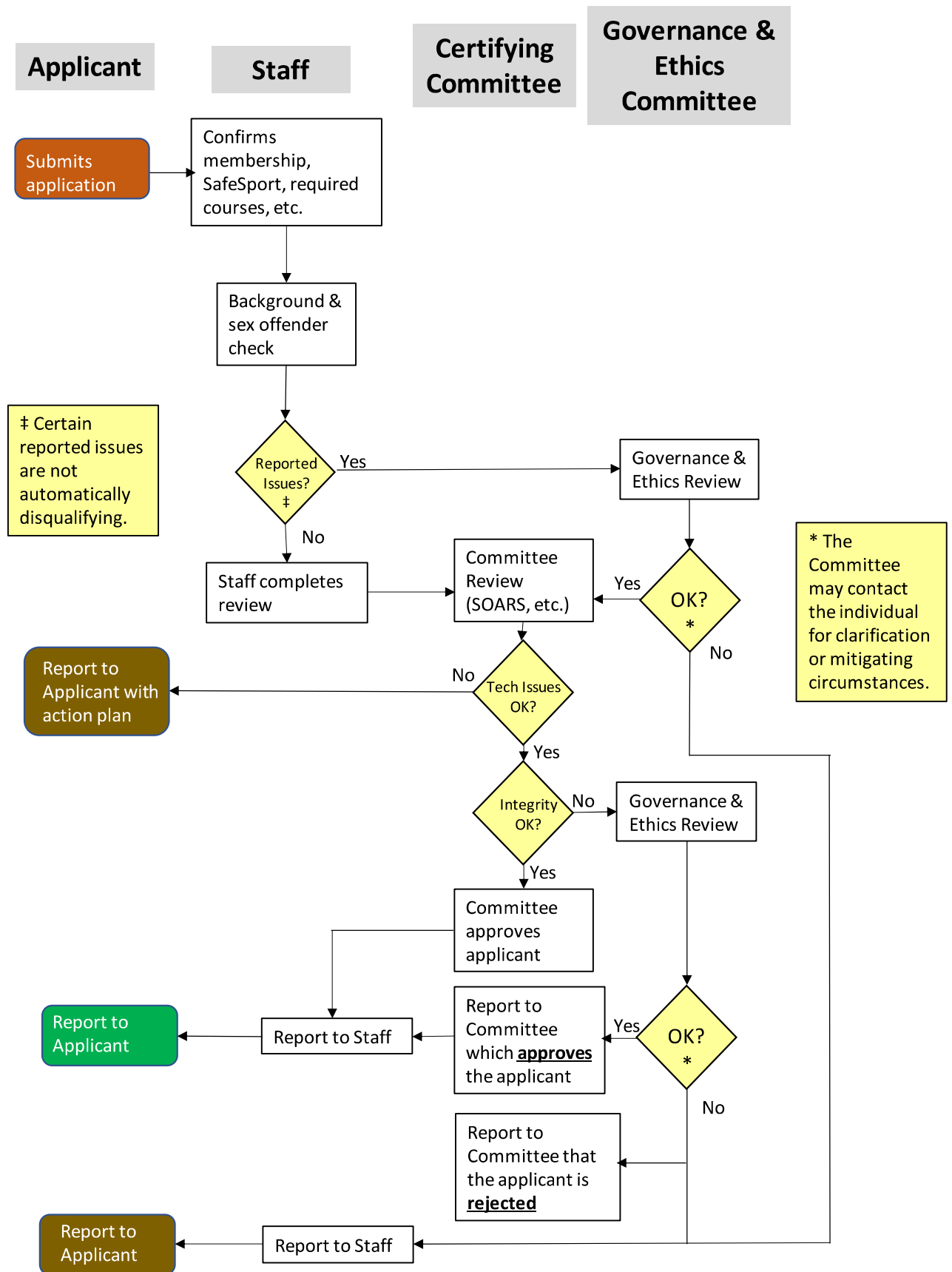
- a. The Governance and Ethics Committee shall make an individualized determination on any application referred to it by the Compliance Manager or a certifying committee to determine whether **Reportable Information** is such that the application shall be denied. When performing an individualized assessment, the Governance and Ethics Committee may use the following to guide its assessment:
 - i. Could the applicant's past conduct reasonably be believed to place another person's safety in jeopardy in the present or future?

- ii. Would the conduct cause competitors or other officials to lack confidence in the **Integrity** of the official?
 - iii. Would the conduct cause competitors or other officials to lack confidence in the official's ability to perform the functions of his or her position?
 - iv. Does the conduct indicate a pattern of behavior that suggests the person may not possess the required **Integrity** expected from a US Sailing Race Official?
 - v. The time elapsed since the occurrence of the conduct.
 - vi. Did the conduct occur when the applicant was a minor?
 - vii. The bearing, if any, the conduct has on the individual's ability to perform the necessary functions of his or her role or otherwise be a representative of US Sailing.
 - viii. Any information produced by the individual, or produced on behalf of the individual, with respect to the individual's rehabilitation and good conduct.
- b. If called to review an applicant's record for **Integrity**, the Governance and Ethics Committee shall within 30 days issue a binding decision as to whether the applicant meets acceptable standards of **Integrity** to serve as a Race Official.
- c. During the 30 day investigation period, the Governance and Ethics Committee shall review the applicant's record and may seek additional references and information from the applicant and any other source. The applicant will be given opportunity to address the substance of the **Reportable Information** and, if necessary, correct any errors with respect to the **Reportable Information**.
- d. After review, the Governance and Ethics Committee shall issue a decision that is binding on the relevant certifying committee as to whether the application should proceed. Any decision by the Governance and Ethics Committee to deny an application may be appealed by the applicant to the US Sailing Review Board.
- e. All decisions of the Governance and Ethics Committee shall be in writing and include:
 - i. the committee's findings of fact,
 - ii. the list of sources consulted during its investigation,
 - iii. the committee's decision on the application,
 - iv. the reasons for the committee's decision, citing to specific standards contained in Section II of this policy. The decision shall articulate with as much detail as possible why the applicant's record of **Integrity** or **Misconduct** make him/her unfit to serve as a Race Official.
 - v. direction on applicant's appeals rights.
- f. All decisions shall be kept on file with the US Sailing Race Administration Office.
- g. All information concerning the applicant's qualification process shall remain confidential within US Sailing, to the extent of the law.

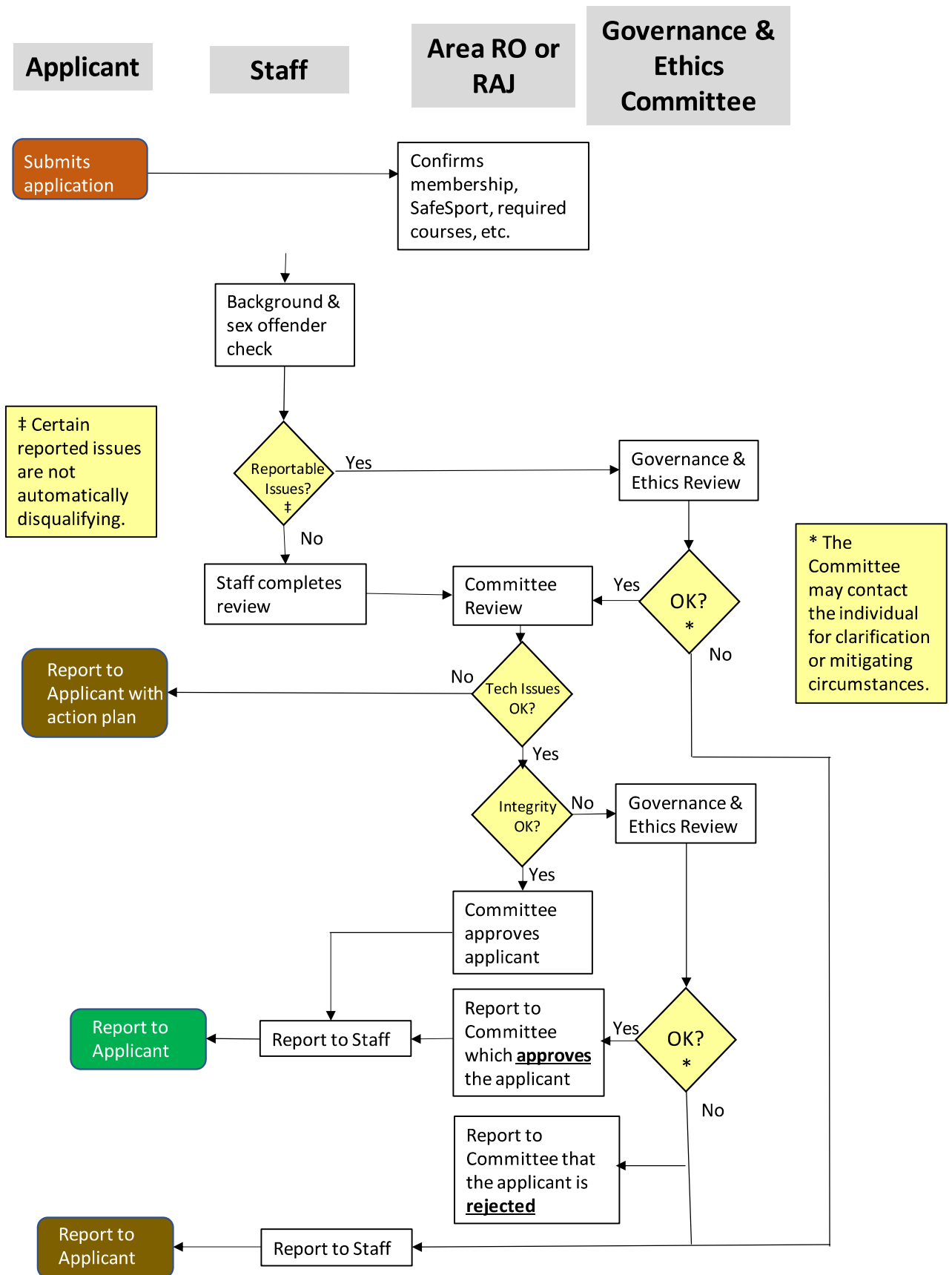
V. **Governance and Ethics Committee Composition**

- a. In addition to the active members of the Governance and Ethics Committee, the Chair of the Race Administration Committee shall serve as an Ex Officio committee member whenever the Governance and Ethics Committee is called to review a Race Official application.
- b. Recommendation that US Sailing Bylaws be revised accordingly.

All Except Club RO or Club Judge



Club RO or Club Judge





Action Request Form

Request No. BAR20210624 V2 7_21_21

Date Submitted: 6/24/2021 Rev 7/21/2021

Submitted By: Matt Hill

Subject: Race Official Reports and Complaints Policy v.7 a - Rev. 7/21/21

Action Requested (word this in resolution form):

That the Board of Directors approve the attached recommendations from US Sailing's working group on Race Official Reports and Complaints Policy – Policy draft v.7 a - Rev. 7/21/21

The Working Group was chaired by Matt Hill and consisted of the following volunteers:

- David Pyron, Chair of Umpire Committee
- Jim Walsh, Chair of the Review Board / Member of Judges Committee
- Justin Sterk, Staff Counsel

Board member and Umpire Committee Charlie Arms, chair of the original Race Management Task Force 2020, was consulted for input.

Member Impacts: Describe below the impacts (i.e. Will it be seen as a member benefit or not? Explain)

Any perceived positive effects:

This policy will bring opportunities for improved processes and procedures within US Sailing and their Race Officials, as well as providing clarity on process and goals for race officials whose practice needs improvement.

Any perceived negative effects: No.

Will this proposal bring in new members?

☐ Yes, _____ Estimated Number

☐ No

☒ Unknown

Mission Impacts: Describe below how and why this creates value.

Positive impact (be specific): One of US Sailing's missions is to promote integrity and consistency in the running of races. The development of competitive infrastructure is also a strategic goal. Certified Race Officials are a key part of that infrastructure on and off the water. Clarifying procedures for identifying and remediating deficiencies will support our sport and promote the high standards of excellence we all strive for. A Race Administration Task Force recommendation in October 2020 elevated this opportunity for improvement.

Financial Impacts: Describe below any expected financial impacts on US Sailing. Include figures.

Positive effects: Unknown.

Negative effects: None.

Implementation Strategy: Describe the implementation for the actions/changes that will be initiated by approval of the BAR, including communication plans, process revisions, responsible parties, etc.

Implementation of this policy will require the following:

- Revision of Race Official training and certification materials
- Dedicated web page with guidelines for reporting and link to reporting form.
- Roll-out plan to train people, communicate the process and push out to sailing communities.



- Communication plan to notify the race official, the person who made the complaint, relevant committees and stakeholders. This policy will define who needs to know what while maintaining appropriate confidentiality.

Any perceived negative impact:

Summary:

This policy establishes how reports or complaints about the conduct of race officials will be received, recorded and addressed by US Sailing. The certifying committees referenced in this document are Classifiers, Judges, Measurers and Equipment Inspectors, Race Management and Umpires.

Summary of the Policy

Reports of sub-standard performance of official duties or misconduct by US Sailing race officials will be made in writing through a form found on a dedicated web page on the US Sailing website.

The Race Administration Director and Staff Counsel will log reports in a secure location and conduct a confidential investigation to establish whether the report appears valid and warrants further action.

A verifiable report that warrants further action will be referred to either:

- The appropriate race official certifying committee for reports of sub-standard performance of race official duties
- The Ethics Committee for allegations of conduct that is inappropriate, unlawful, unethical or injurious to other individuals or to the reputation and welfare of US Sailing

The policy establishes procedures that committees will follow in order to ensure due process and an appeal process for adverse decisions, as well as provisions for appropriate confidentiality.

Potential actions by certifying committees range from creating a plan of improvement to decertification of race officials. A finding of serious misconduct or unethical conduct by the Ethics Committee would potentially lead to decertification of the official.

I certify that this proposal has been checked. Governing Documents affected:

- | | |
|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Committee Terms of Reference |
| <input type="checkbox"/> Championship Conditions | <input type="checkbox"/> Ted Stevens Act |
| <input type="checkbox"/> Regulations | |

Submitted by Matt Hill

Race Official Reports and Complaints Policy - DRAFT

v.7a - Rev. 7/21/21

This policy establishes how reports or complaints about race officials will be received, recorded and addressed by US Sailing. This draft takes the form of a workflow to be followed by the Race Administration Director and Staff Counsel and the appropriate US Sailing committee. The certifying committees referenced in this document are Classifiers, Judges, Measurers and Equipment Inspectors, Race Management and Umpires.

1. A complaint, report or suspected incident is made known to US Sailing

A report of an incident or pattern of actions is received from a competitor, other official, organizing authority, class association, area official (ARO or RAJ), US Sailing Board member or staff member, the US Center for SafeSport or other source.

2. A complaint or report may concern:

- A. Performance – a report of sub-standard performance of race official duties
- B. Misconduct – an allegation of conduct that is inappropriate, unlawful, unethical or injurious to other individuals or to the reputation and welfare of US Sailing or the sport

3. Reporting process

- A. Guidelines for reporting [process for reporting will be clearly described on the website]:
 - 1. Formal reports: Type or severity of issue that should be reported to US Sailing
 - a. Criminal activity
 - b. Sexual misconduct
 - c. Conduct that suggests a lack of integrity
 - d. Practice that may endanger or disadvantage competitors
 - e. Significant errors in process; unresponsiveness to correction
 - f. Issues that may damage the reputation of US Sailing, the sport, the event, or other certified race officials
 - 2. Process for less severe concerns
 - a. Report to team leader at the event: Principal Race Officer, Chief Judge, Chief Umpire, Chief Classifier or Chief Measurer. Team leaders are expected to correct situations that do not merit a formal complaint.
 - b. Report to Area Race Officer, Regional Administrative Judge or committee member, who will handle the report via appropriate avenue
 - c. Report to Race Administration Director, who will handle the report via appropriate avenue
- B. Detailed process for reporting:
 - 1. Report format:

- a. Verbal report is discouraged but initially acceptable before complaint proceeds to hearing stage
 - b. Written report, identifying complainant, is required if complaint proceeds to hearing stage
 - c. Written reports shall be submitted via the "Report a Complaint About a Race Official" form (<https://form.jotform.com/210625441248046>)
 - d. JotForm is secured and accessible only to Race Administration Director and SC
- 2. Anonymous reports are discouraged but may be accepted at initial investigation stage, but a formal report identifying person complaining is required before proceeding to hearing stage
- 3. Are there witnesses? If so, identify and provide contact information
- 4. Is there additional corroborating information? Describe and indicate source.
- 5. Submit any relevant documents.
- C. Complaint or report is received, acknowledged and logged by Race Administration Director in a secure location and shared only with Staff Counsel
 - 1. Logged in Excel spreadsheet
 - 2. Separate folder for each individual contains copy of written report, contemporaneous notes of conversations and any documents submitted
 - 3. Records stored in secure server location accessible only to Race Administration Director
- D. Is there an obligation to report to other authority?
 - 1. Law enforcement (alleged crime)
 - 2. SafeSport (alleged incident of sexual nature, abuse, bullying, other covered misconduct)

4. Initial report validation

Confidential investigation by Race Administration Director and/or Staff Counsel to determine whether the complaint or report appears valid and warrants further action by certifying committee or Ethics Committee. Chair of the certifying committee or Ethics Committee may be consulted if appropriate. If such consultation takes place, the identity of the race official will not be disclosed.

- A. Can the complaint be resolved with immediate mentoring by the team leader?
- B. Does the complaint allege one or more specific incidents or a pattern of actions by an official?
- C. Is the complaint credible?
 - 1. Is it more than grumbling or dock talk?
 - 2. Are there identifiable witnesses to the alleged incident(s)?
 - 3. Have similar reports arisen from other sources?
- D. Is the person reporting willing to submit the complaint in writing and be identified?
- E. Is the complaint timely?
- F. Does the incident fall within US Sailing's authority to respond?
 - 1. Is it related to sailing? If not, is it severe enough to cause concern about an official's integrity or ability to perform his or her duties? Would his or her continued certification as an official be injurious to the reputation and welfare of US Sailing or the sport?

2. Is it covered by the RRS or US Sailing's SafeSport obligations?
3. Is it related to the performance of a race official's duties?
- G. Can the incident(s) be reasonably verified by Race Administration Director and/or Staff Counsel?
 1. If not verifiable, if no one is willing to go on record reporting, or if incident(s) appear not to have happened, update log and close process
 1. If verifiable but does not rise to level of a formal complaint, may refer to ARO, RAJ or committee chair for mentoring and correction
 2. If a serious incident can be verified, proceed to next step

5. Referral to a committee

Based on the results of the initial report validation and possible confidential discussion with the chair(s) of the appropriate certifying committee(s), during which the identity of the race officer will not be disclosed, a serious report will be referred to either:

- A. The chair of the certifying committee – for allegations of sub-standard performance of race official duties:
 1. Examples: inattention to safety concerns, poor course management, uncooperative with PC decisions, unresponsive to OA or class association direction, inattention to or incorrect application of rules, a pattern of poor decisions or calls
 2. Minor lapses in judgement, acknowledged by official and correctable by coaching
 3. Goal: Correct sub-standard performance; restore official's practice to desired level of competence
- B. The chair of the Ethics Committee – for allegations of conduct that is inappropriate, unlawful, unethical or injurious to other individuals or to the reputation and welfare of US Sailing:
 1. Examples: criminal conduct, sexual misconduct, any SafeSport-covered actions, cheating, favoritism, abuse of the protest process, conduct that calls into question an official's or US Sailing's integrity or fairness
 2. Additionally, refusal to recognize a lapse in judgement; refusal of coaching, coaching ineffective or unlikely to correct problem
 3. Goal: Determine whether conduct can be corrected or merits reduction or termination of certification

6A. Hearing process by certifying committee – for reports alleging substandard performance of an official's duty:

- A. On being presented with a written report, a race official may voluntarily agree to a Plan of Improvement (POI), conditional reappointment, resignation or retirement. Any POI shall include specific requirements such as those described in item 6A(G)(5) below. Otherwise:
- B. The certifying committee chair shall appoint a three-person panel to review the report(s) and make a recommendation to the full committee.
 1. At least one panel member shall be a current or prior (within 4 years) member of the certifying committee. If current, this member shall abstain from any further committee

actions on the complaint. The panel may include the subject's Area Race Officer or Regional Administrative Judge if advisable. The panel should include members of multiple committees if the complaint crosses disciplines.

2. No member of the Review Board shall sit on this panel. Further, a member of a certifying committee who also serves on the Review Board shall recuse himself or herself from any committee actions or Review Board actions related to the complaint.
3. The committee shall provide written notice of the hearing with adequate time for the official to prepare. The notice shall include the following:
 - a. Names of the complainant(s) and the race official who is the subject of the complaint(s), copies of the complaint(s) and any other relevant document(s).
 - b. The date, time and place of the hearing, which may be conducted by teleconference.
 - c. Notice that the race official may submit a written response and present supporting witnesses and documentary evidence.
 - d. The names of the members of the hearing panel.
 - e. Actions that the committee could recommend if the complaint is found to be justified (see item 6A(G)).
 - f. Notice of the right of appeal as described in item 8 of this document.
- C. The race official may object before the hearing to a panel member of the basis of a conflict of interest or bias, and the committee shall be guided by the procedure described in RRS 63.4, sections (a-c).
- D. The hearing shall proceed as follows:
 1. Review of the complaint(s) by the complainant or panel member, which may include presentation by the complainant
 2. Response by the race official
 3. Opportunity for the race official to question individual(s) presenting complaint
 4. Opportunity for individual(s) presenting complaint to question the race official
 5. Testimony from witness(es) supporting the complaint
 6. Testimony from witness(es) supporting the race official
 7. Panel members may ask clarifying questions at any time
 8. Complainant and race official may make closing statements
 9. The panel closes the hearing after informing the official of the date by which they intend to make a recommendation to the certifying committee, which shall be not more than 30 days after the panel's receipt of the complaint
- E. Criteria to be applied to evaluate the official's performance:
 1. Published certification requirements
 2. Generally accepted best practices as outlined in training materials
 3. Evaluation standards found in reference forms
- F. Standard of proof to be applied: the comfortable satisfaction of the committee, bearing in mind the seriousness of the alleged deficiency [see RRS 69 and [WS Misconduct Guidance](#)]
- G. Panel recommends to certifying committee:

1. No action
2. Plan of improvement (POI)
3. Continued certification with conditions
4. Probationary recertification for a period less than a full four-year term
5. Downgrade, suspension or termination of certification, including refusal to reappoint (immediate or at recertification date)
6. Any POI shall specify actions to be taken, such as:
 - a. retake course and test
 - b. mentoring and supervision while acting as a race official
 - c. written review by supervisor
 - d. additional experience
 - e. specific dates by which actions are to be completed and reviewed by the committee
 - f. next steps when requirements are/are not met
 - g. Additionally, every POI shall be recorded on a [Plan of Improvement form](#) and a committee member shall be assigned to monitor and report on the official's progress against the plan.

6B. Hearing process by Ethics Committee – for claims of conduct that is inappropriate, unlawful or injurious to other individuals or to the reputation and welfare of US Sailing:

- A. When reviewing allegations against a race official, the Ethics Committee shall include the Chair of the Race Administration Committee or his/her designee.
- B. The Ethics Committee shall make an individualized determination on any report referred to it by the Race Administration Director, Staff Counsel or a certifying committee to determine whether the reported information is such that continued certification shall be denied.
- C. If called to review an applicant's record for integrity or to make a determination on a report of misconduct, the Ethics Committee shall within 30 days issue a binding decision as to whether the official meets acceptable standards of integrity or conduct to serve as a race official.
- D. During the 30-day investigation period, the Ethics Committee shall review the report and the official's record and may seek additional references and information from the applicant and any other source. The official will be given opportunity to address the substance of the report and, if necessary, correct any errors with respect to the report.
- E. After review, the Ethics Committee shall, no later than 30 days after receiving the complaint, issue a decision that is binding on the relevant certifying committee on whether the official's certification should continue.
 1. All decisions of the Ethics Committee shall be in writing and include:
 - a. the committee's findings of fact,
 - b. the list of sources consulted during its investigation,
 - c. the committee's decision on continued certification,
 - d. the reasons for the committee's decision, citing to specific standards contained in Section II of US Sailing's Race Official Personal Attributes Requirements

Policy. The decision shall articulate with as much detail as possible why the applicant's record of integrity or misconduct makes him/her unfit to serve as a Race Official.

- e. direction on applicant's appeals rights.
- 2. All decisions shall be kept on file with the US Sailing Race Administration Office.
- 3. All information concerning the applicant's qualification process shall remain confidential within US Sailing, to the extent of the law.

7. Certifying committee or Ethics Committee determines appropriate response and notifies the race official, other committee(s) involved, and US Sailing staff.

8. Right of appeal

- A. A race official may request review of a decision under US Sailing Regulation 15.05 – Appeals.
- B. Upon receipt of a properly filed appeal, the US Sailing Review Board shall proceed under Regulation 15.

9. Recovery process

Recovery actions may include :

- A. For official:
 - a) Plan of Improvement
 - b) Conditions for recertification
 - c) Probationary period with structured supervision
- B. For US Sailing:
 - a) Self-review and possible revision of process and/or standards
 - b) Structured follow-up with concerned stakeholders to ensure that correction has succeeded
- C. For both, plan shall specify the recovery actions to be taken, monitoring to ensure compliance, and time frame in which recovery actions will be completed

10. Completion of process

- A. Update log
 - B. Communicate the outcome, as appropriate, to involved parties: subject of complaint, complainant and appropriate committee(s)
 - C. Close the matter
-

Notes for further action:

Appeal process (8A) – requires additional language to be approved by Bylaws Committee and Board of Directors

Additional components to develop:

- **Communication plan** to notify the Race Official, the person that made the complaint, stakeholders, relevant committees, etc. Need to define who needs to know what, while maintaining confidentiality. This includes creating a dedicated web page with guidelines for reporting and a link to the reporting form.
- **Roll Out Plan:** after process, roles and responsibilities, and infrastructure is established, need to train people, communicate the process, and roll it out.