



# US Sailing REGULATIONS

## Amended 31-Jan-2024

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### 1 GENERAL

#### 1.01 APPLICABILITY

- A. These Regulations provide official determinations of the Board of Directors on policy, organization, and procedural matters as authorized in Bylaw 301, Section 2 (9), and are the sole purview of the Board.
- B. The US Sailing Regulations intend to include all general policy decisions of the Board of Directors.

#### 1.02 DEFINITIONS, ABBREVIATIONS, ACRONYMS

The following definitions, abbreviations, and acronyms apply in these regulations:

Areas	The geographical jurisdiction of US Sailing Regional Sailing Associations delineated by the Board.
Board	US Sailing Board of Directors
Division Chair	See Bylaw 501 Section 2
ECO	(US Sailing) Ethics Compliance Officer, the Chair of the Governance and Ethics Committee
CEO	(US Sailing) Chief Executive Officer
GAAP	Generally accepted accounting principles in the United States as established by the Financial Accounting Standards Board.
LSO	Local Sailing Organization
MNA	Member National Authority (of World Sailing)



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NGB	National Governing Body of a U.S. Olympic and Paralympic Committee sport
Office	A designation for a group of committees within a division served by common staff support.
Protected Competition	A Protected Competition as used herein shall mean that term as defined in the USOPC Bylaws.
RRS	The Racing Rules of Sailing, including US Sailing Prescriptions; refers to the current edition of the book published by US Sailing, including any updates properly issued subsequent to publication.
RSA	Regional Sailing Association
Sailor Athlete	A 10-Year, 10-Year+, or Actively Engaged Sailor Athlete as defined in Bylaw 105 – Definitions.
Sports Act	Ted Stevens Olympic and Amateur Sports Act of 1978, as amended from time to time.
Terms of Reference	A document describing the roles, responsibilities and organization of a US Sailing committee or delegation
USOPC	United States Olympic and Paralympic Committee
US Sailing	The United States Sailing Association, Inc.
Website	The US Sailing website; <a href="http://www.ussailing.org">www.ussailing.org</a> and its associated pages, not including links.
Youth event	An event where the majority attending are, or the target audience is, under the age of 21.

## 2 MEMBERSHIP

### 2.01 MEMBERSHIP CLASSES AND DUES

Complete membership information shall be maintained on the website.

### 2.02 MEMBERSHIP REQUIREMENTS

Membership in US Sailing is required for:

- A. all US citizens who compete in US Sailing championships at the semi-final level and higher.
- B. athletes selected by US Sailing for international events or competing at US Sailing organized events.
- C. an organization to participate in the US Sailing insurance program.
- D. an organization offering US Sailing Keelboat Certifications, whether commercial or not-for-profit.
- E. Regional Sailing Associations, host clubs, and participating classes at qualifiers for US Sailing championships at the Area level (semi-finals) or higher. The Championships Committee may approve exceptions.
- F. for Board members, volunteers serving on US Sailing Committees, US Sailing certified officials, and US Offshore Official Measurers.

### 2.03 INTERNATIONAL PARTICIPANTS



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When US Sailing membership is required at an event, participants from other countries shall either be members of US Sailing or be members of their World Sailing recognized national authority for sailing.

### 2.04 LISTS OF AREAS AND RSA MEMBERS

The list of Areas and their respective RSA members is maintained by the Membership Department and displayed in the Sailing Association pages within the US Sailing web site. In order to present a complete roster of each RSA, US Sailing shall list in any US Sailing directory, every LSO that is a member of that RSA, whether or not the LSO is a member of US Sailing.

## 3 GOVERNANCE

### 3.01 SAILOR ATHLETES

- A. 10-Year, 10-Year+, and Actively Engaged Sailor Athletes are defined in Bylaw 105 in order to ensure representation of athletes within US Sailing.
- B. Disputes regarding the Sailor Athlete status of an individual in terms of the above definition will be decided by a vote of the Sailor Athlete Council.

### 3.02 OVERSIGHT

In accordance with Bylaw 517, procedures and criteria for monitoring and evaluating the performance of the members of the Board shall be established by the Governance and Ethics Committee and posted on the website. The oversight shall include procedures for:

- 1. US Sailing members to comment and evaluate members of the Board, and
- 2. Annual evaluation by each Board member.

## 4 COMMITTEES

### 4.01 ORGANIZATION

- A. US Sailing Bylaw 501 authorizes seven Operating Divisions for the purpose of coordinating the activities of committees grouped within these Divisions. The remainder of this Regulation 4 shows the assignment of committees to the various Divisions including a brief description of each committee.
- B. Committees not assigned to Divisions are listed in Regulation 4.09. The activities of these committees are coordinated directly by the Board.
- C. Each committee within US Sailing shall maintain Terms of Reference approved by the Board.

### 4.02 CHAMPIONSHIPS DIVISION

The Championships Division shall oversee, coordinate and promote the championships of US Sailing and shall support and coordinate the following committees:

- A. Championships Committee – coordinates US Sailing Championships with local host organizations; interfaces with the race administration committees and subcommittees; coordinates the common activities of the individual championships committees within the Championships Division; assists with sponsorship and publicity; documents and ensures compliance with the championship conditions.
- B. Individual championship committees - responsible for scheduling and running the designated championship under the championship conditions. Activities may include



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selecting boats, schedules, vendors, and venues and deciding how the event should be run and publicized. The individual championship committees are:

### Adult Fleet and Team Racing Championships

U.S. Championship of Champions Committee  
International Women's Keelboat Championship Committee  
U.S. Para Sailing Championship Committee  
U.S. Adult Sailing Championship Committee  
U.S. Multihull Championship Committee  
U.S. Offshore Championship Committee  
U.S. Singlehanded Championship Committee  
U.S. Team Racing Championship Committee

### Junior / Youth Fleet and Team Racing Championships

U.S. Junior Championship Committee  
U.S. Junior Women's Championships Committee  
U.S. Youth Championship Committee

### Match Racing Championships

U.S. Match Racing Championships Committee

#### 4.03 EDUCATION DIVISION

The Education Division includes the following committees:

- A. Commercial Sailing Committee - provides oversight, research, development, and advocacy of the Keelboat Certification System and its certifying schools; determines standards for its schools, instructors, and students; promotes participation in the sport of sailing through member schools; advises the Board on matters of importance with regard to the delivery of high quality keelboat and cruising training for sailors in the United States.
- B. Instructor / Coaches Committee – Continue to improve the process of coaching sailors and to provide a place to discuss the needs of coaches and instructors.
- C. Sports Medicine Committee - furthers the understanding of medical issues in the sport of sailing; recommends policies and procedures to the Board and to appropriate committees; and provides a resource for understanding anti-doping requirements, as well as in understanding repetitive injuries and prevention.
- D. Sportsmanship Committee – encourages and promotes the ideals of good sportsmanship at all levels of the sport and awards the W. Van Alan Clark, Jr. Sportsmanship Trophy.
- E. Education Committee - develops and implements courses to train sailing instructors; maintains the standards of sail training; and produces and sells training materials.

#### 4.04 INSHORE / SMALLER BOAT SAILING DISCIPLINES DIVISION.

The Inshore / Smaller Boat Sailing Disciplines Division shall oversee, coordinate and promote such activities of US Sailing as concern racing and sailing, but not Olympic or Paralympic racing:

- A. Cruising Committee – promote and support cruising sailing in the United States, and provide a forum for cruising sailors to share information and suggest ideas to US Sailing.



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- B. Kite Boarding Committee – US Kiteboarding, a US Sailing Member Organization, serves as this committee. USA Kiteboarding promotes kite board racing in the United States. This Committee selects its own leadership team.
- C. Match Racing Committee – promotes match racing in the United States and coordinates US Match Racing events as needed.
- D. Multihull Racing Committee – Shall:
  - 1. Promote the interests of multihull sailors and racers in the United States
  - 2. Provide a forum for multihull sailors, manufacturers of multihull boats, spars and sails, to exchange information and discuss matters of interest;
  - 3. Advise and coordinate with other committees, directors, and staff in matters which affect member organizations, specifically including, but not limited to:
    - Help develop and maintain handicap rating systems for multihulls – coordinating with the appropriate committees in the US Offshore Division;
    - Formulate and promulgate safety programs for multihulls in conjunction with the Safety at Sea Committee; and
    - The Multihull Racing Committee shall be the primary voice of multihull racing sailors to the U.S. Multihull Championship event(s) committee(s).
  - 4. Establish and promote sailing and race training programs to introduce and expose US Sailing members, prospective US Sailing members, and youth to multihull sailing or multihull racing.

The Multihull Racing Forum shall include a representative from any member organization that is dedicated to the interests of multihull racing.

Every two years, the membership of the Multihull Racing Forum shall elect an executive committee, to include a Chair, Vice Chair, Secretary, and Area Representatives, with the approval of the Board of Directors of US Sailing.

The Multihull Racing Committee Chair shall submit semi-annual reports to the Division Chair and to the Board of Directors.

- E. One Design Class Association Committee – promotes and grows one-design class racing sailing participation in the United States, facilitates direct communication between US Sailing and class associations, and to provides a forum for one-design class associations to exchange information and assist one another in solving mutual challenges.
  - 1. The Committee is composed of a Chair and up to 14 additional geographically diverse sailors from a range of one-design classes. One member, selected by the Committee, serves as the Vice Chair.
  - 2. The Committee organizes and coordinates the exchange of information between one-design classes and assists in solving mutual challenges in order to increase participation in one-design sailing.
  - 3. The Committee shall hold regular meetings, including meetings open to all one-design class associations, and submit reports to the Board of Directors on a semi-annual basis
  - 4. The membership of the Committee should turn over regularly (one third each year). Selection of new committee members will be made cooperatively between US Sailing, the Committee, and the Sailor Athlete Council.



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- F. Para Sailing Committee – promote and support an avenue to voice the opinions of sailors with disabilities and of adaptive sailing programs in the United States, to provide a forum and opportunity for disabled sailors to exchange information and assist one another in solving mutual challenges, and to promote and encourage the growth of opportunities in sailing for sailors with disabilities.
- G. Team Racing Committee – promotes team racing in the United States and coordinates US Team Racing events as needed.
- H. Windsurfing Committee – US Windsurfing, a US Sailing Member Organization, serves as this committee. US Windsurfing promotes windsurfing in the United States. This committee selects its own leadership team.

### 4.05 OFFSHORE AND TECHNOLOGY DIVISION

The Offshore and Technology Division is responsible for promoting and coordinating the products and services that help members enjoy their one-design and offshore-capable boats. The responsibilities include supporting measurement for offshore and one-design boats; supporting the rating rules and handicapping systems used in the United States; supporting the organizing authorities that manage specific races and regattas; overseeing regulations, rules, educational initiatives, and technology supporting racing; and addressing safety concerns of all size boats.

Offshore and Technology Division Committees and their responsibilities:

1. Handicapping: report on trends and issues from around the country and recommend improvements to the management of rating rules serviced by US Sailing while consulting with affiliated rules organizations, local fleets, event organizers, and boat owners, including measurement-based handicapping and empirical handicapping such as PHRF and Portsmouth Number; Seek out and recommend improvements to boat measurement under the UMS (Universal Measurement System), rule development, technical data improvement to information systems, and best practices for fair rule implementation; work with national and international partners towards common measurement procedures and nomenclature, and to ensure that user interfaces and functionality needs are met. Subcommittees shall include:
  - a. Measurement rules;
  - b. Portsmouth Number; and
  - c. (c) PHRF.
2. Technology: Support and advise US Sailing staff on key aspects of the use of technology within US Sailing.
3. Safety at Sea: Coordinate safety research and safety education programs for nearshore, coastal, and offshore sailors; report on sailing incidents and determine lessons learned; acknowledge acts of heroism by awarding the Arthur B. Hanson Rescue Medal as appropriate; recommend changes to the U.S. Safety Equipment Requirements; and provide a US perspective to World Sailing regarding training and equipment requirements.
4. Offshore Racing Development: Seek out opportunities to expand and support offshore sailing; enhance the products and services of the Offshore and Technology Division; and recommend plans for market penetration and membership growth to US Sailing Staff.
5. Measurers and Equipment Inspectors: Develop and support measurers and equipment inspectors within the US for all boats and sails; develop and maintain training and testing for event equipment inspection; assist sailing organizations in obtaining measurers or equipment inspectors for events; provide support and advice on the roles and conduct of measurers and equipment inspectors at US Sailing events; and submit candidates for approval by the Board as nominees for World Sailing International Measurers.





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### 4.06 RACE ADMINISTRATION DIVISION

The Race Administration Division shall oversee, coordinate and promote such activities of US Sailing as concern the running, judging and umpiring of races and shall support and coordinate the following committees:

- A. Race Administration Committee – proposes products and programs that promote quality race administration, and coordinates the common activities of the committees within the Race Administration Office.
- B. Appeals Committee – In addition to the duties described in Bylaw 512, Section 3, publishes selected decisions of the Appeals Committee; recommends changes in the RRS to the Racing Rules Committee; and proposes, for approval by the Board, the submission of US Sailing Appeals to World Sailing for adoption as World Sailing Cases.
- C. Judges Committee - develops, supports, and certifies judges within the US; maintains the training and testing programs for certification; investigates complaints against judges; assists sailing organizations in obtaining qualified judges for events; and provides support and advice on the roles and conduct of judges at US Sailing events; submits candidates for approval by the Board as nominees for World Sailing International Judges.
- D. Race Management Committee - develops, supports, and certifies race officers within the US; maintains the training and testing programs for race officers; investigates complaints against race officers; assists sailing organizations in obtaining qualified race officers for events; and provides support and advice on the roles and conduct of race officers at US Sailing events; submits candidates for approval by the Board as nominees for World Sailing International Race Officers.
- E. Racing Rules Committee - drafts and oversees submissions to World Sailing, for approval by the Board, of proposed changes to the RRS on behalf of US Sailing; drafts and maintains, for approval by the Board, the US Sailing prescriptions to the RRS; and conducts national training as coordinated by the Race Administration Committee. Approves requests for permission to test proposed rules under the US Prescription to rule 86.3.
- F. Umpires Committee - develops, supports, and certifies umpires within the US; maintains the training and testing programs umpires; investigates complaints against umpires; assists sailing organizations in obtaining qualified umpires for events; and provides support and advice on the roles and conduct of umpires at US Sailing events; submits candidates for approval by the Board as nominees for World Sailing International Umpires.
- G. Classifiers Committee – develops, supports, and certifies classifiers for disabled sailing in the US; establishes and maintains training and testing programs for classifiers; investigates complaints against classifiers; assists sailing organizations in obtaining classifiers for events; provides support and advice on the roles and conduct of classifiers at US Sailing events; and submits candidates for approval by the Board as nominees for International Classifiers.
- H. Measurers and Equipment Inspectors Committee – develops and supports measurers and equipment inspectors within the US; develops and maintains training and testing for event equipment inspection; assists sailing organizations in obtaining measurers or equipment inspectors for events; provides support and advice on the roles and conduct of measurers and equipment inspectors at US Sailing events; submits candidates for approval by the Board as nominees for World Sailing International Measurers.



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### 4.07 SAILING VENUES DIVISION

- A. Inter-Collegiate Sailing Committee – The Intercollegiate Sailing Association, a US Sailing Member Organization, serves as this committee. The Intercollegiate Sailing Association promotes collegiate sailing in the United States and organizes the Collegiate Sailing Championships. This Committee selects its own leadership team.
- B. Inter-Scholastic Sailing Committee – The Inter-Scholastic Sailing Association, a US Sailing Member Organization, serves as this committee. The Inter-Scholastic Sailing Association promotes, coordinates, and regulates high school sailing in the United States. This Committee selects its own leadership team.
- C. Community Sailing Committee – Represents the interests of community sailing within US Sailing, promotes and supports community sailing in the United States, provides a forum for community sailing programs and sailors to exchange information and assist one another in solving common challenges, and advises other US Sailing committees, councils, directors, and staff in matters which affect community sailing programs.

This committee membership must include the following minimums:

- 7 representatives of community sailing programs, including:
  - one from a program that serves over 500 customers yearly,
  - one from a program that serves less than 50, and
  - a representative of at least three of the 4 geographical areas, East, West, South and Midwest.
- A member of the National Faculty or Education Committee.
- A member of the Government Relations Committee or someone with experience in this area.

The Committee selects its own leadership in cooperation with the President and the Board of Directors and in accordance with its approved Terms of Reference.

- D. Regional Sailing Associations Committee – shall represent their constituent yacht clubs, sailing clubs, and local sailing organizations and shall be one of the main communication conduits both from the constituent organizations and members to US Sailing, as well as from US Sailing to their constituent organizations and members.

The RSA Committee derives its authority from the BOD of US SAILING.

Membership shall be a representative from each RSA selected by the RSA in cooperation with the President of US Sailing, the Chair of the RSA Committee and the Sailing Venues Division Chair; and approved by the BOD.

Every two years, the membership of the RSA Committee shall elect a Chair, Vice Chair, and Secretary from their membership, with the approval of the BOD of US SAILING. The RSA Committee Chair shall submit quarterly and yearly reports to the Sailing Venues Division Chair.

Specific duties and responsibilities of the Regional Sailing Association Committee and its member Regional Sailing Association membership shall include:

- Representation and communication of all items of interest from their constituent organizations and members to the Sailing Venues Division Chair.
- Every RSA shall be an advocate for the interests of each of their constituent organizations and members.





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- Representation and communication of policy and any communications from US Sailing to their constituent organizations and members.
- Liaison directly with their Area Coordinator to assist and facilitate any communication, training, scheduling that is in the interest of the RSA and US Sailing. The Area Coordinator is a resource to be used to work with US Sailing to assist in fulfilling the needs of the constituent organizations and members with respect to training, certification, handicapping, event management.
- Provide and facilitate the administration and hearings as the first line of the Appeals Process as defined in the Racing Rules of Sailing.
- Promote and support the activities of US Sailing in clubs, encourage the growth of sailing in local clubs and centers, and to provide a forum for clubs/Centers to exchange information.
- Provide guidance to the Association in including and incorporating the local sailing community in its annual meetings and share information with other committees planning events that require meeting facilities.

### 4.08 MANAGEMENT DIVISION

The Management Division is composed of the following committees:

- A. Budget Committee – assists the staff in developing a budget that meets the Board’s strategic objectives, and by which the Board may evaluate the performance of the organization in the upcoming fiscal year.
- B. Government Relations Committee – assists the association in furthering the mission of the US Sailing within the arenas of our local, state and national governments and agencies.
- C. Marketing and Communications Committee - assists the staff in positioning US Sailing and in determining messages and methods of communications, and oversees sponsor development.

### 4.09 OVERSIGHT COMMITTEES

- A. Finance Committee – See Bylaw 513
- B. Bylaws Committee – See Bylaw 514
- C. Nominating Committee – See Bylaw 515.
- D. Review Board – See Bylaw 516. The Committee shall consist of a chair and nine additional members.
- E. Governance and Ethics Committee – See Bylaw 517
- F. Compensation Committee – reviews the compensation of the Chief Executive Officer and makes recommendations to the Board according to the process and standards outlined in its Terms of Reference and Bylaw 518 – Compensation Committee.
- G. Diversity, Equity and Inclusion Committee – reviews leadership on matters of diversity, equity and inclusion in the sport of sailing and within US Sailing's leadership, staff and volunteer demographics – see Bylaw 519.
- H. Investment Oversight Committee – reviews US Sailing’s investment portfolio; analyzes US Sailing’s investment portfolio performance; evaluates and recommends strategic investment objectives to the Board.



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- I. Legal Committee – provides guidance to the Board and staff on legal matters and assists the Board in selecting legal counsel.
- J. Sailor Athlete Council – See Bylaw 401, 402 and 403.
- K. International Selection Committee – is responsible for ensuring that the processes for selecting athletes to attend, at a minimum, the events listed in Regulations 12.01, are defined, approved and published, and for overseeing those selection processes. See Bylaw 520 – International Selection Committee.

5 (Reserved)

### 6 NOMINATIONS, APPOINTMENTS, AND ELECTIONS

#### 6.01 APPOINTMENT OF COMMITTEE CHAIRS

Except as otherwise provided in the Bylaws or these Regulations, the following shall apply:

- A. The President shall nominate the committee chair for Board approval at the first meeting of the Board after the conclusion of the Annual Meeting.
- B. Each retiring chair shall be notified of the prospective nomination of their successor in advance of notifying the candidate and with sufficient time for the retiring chair to consider and comment on the nomination.
- C. Committee chairs shall not serve more than four consecutive terms in office unless an exception is approved by the Board.

#### 6.02 APPOINTMENT OF COMMITTEE MEMBERS

Except as otherwise provided in the Bylaws, Regulations, or the committee's approved Terms of Reference, the following shall apply:

- A. the committee chair shall nominate committee members, while the Sailor Athlete Council shall nominate the Sailor Athlete members and
- B. the chair shall submit the names of committee members for approval by the Board no later than 60 days after the close of the Annual Meeting or when filling a vacancy.

#### 6.03 APPOINTMENT OF AREA REPRESENTATIVES TO COMMITTEES

For selection of individuals to represent US Sailing Areas on committees or otherwise perform Area functions including, but not limited to, Regional Administrative Judge, Area Race Officer, and Regional Education Coordinator, and Area Representatives to the individual U.S. Championship Committees, the following shall apply:

- A. The committee chair shall nominate Area committee members.
- B. The Area Coordinator may name a candidate for consideration by a committee chair.
- C. The Area Coordinator shall be notified of the prospective selection in advance of notifying the candidate and with sufficient time for the Area Coordinator to have an opportunity to comment on the appointment.

#### 6.04 REPRESENTATIVES TO OTHER ORGANIZATIONS

- A. World Sailing Delegation - On a quadrennial basis, the President, with the approval of the Board, shall nominate US Sailing members and qualified candidates from other countries for positions within the governing structure of the International Sailing Federation (World Sailing). Nominees from the US selected by World Sailing will comprise the World Sailing



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- Delegation. When the President of US Sailing is a member of the World Sailing Delegation, the President shall act as chair of the Delegation. Otherwise, the President shall appoint one of the Delegates to act as the Chair.
- B. Offshore Racing Congress (ORC) – The President, with the approval of the Board, shall nominate one or more representatives to the ORC based on the ORC regulations. An ORC Representative shall not serve more than three consecutive four-year terms unless an exception is approved by the Board.
  - C. (Reserved)
  - D. USOPC – The President shall appoint a delegate to the U.S. Olympic and Paralympic Committee’s NGB Council, subject to Board approval.
  - E. Sail America – The President shall appoint a delegate to Sail America, Inc., as allowed by that organization, subject to Board approval.
- 6.05 BOARD NOMINEE CAMPAIGNING
- Campaigning for election to the Board or for the Office of President of US Sailing is limited as follows:
- A. US Sailing will distribute the Candidate Profile included in a mailing from US Sailing;
  - B. Candidates shall not undertake any form of wholesale campaigning including commercial mass mailing, phone or e-mail campaigns or campaign advertising;
  - C. Candidates may make themselves available for individual inquiries and engage in private conversations regarding the candidate’s intentions and plans for US Sailing;
  - D. A candidate may accept a request to speak to a group, to make a submission to a printed publication (or website) or for an interview by an organization or the media Candidates shall notify the media contact at US Sailing of all such request;
  - F. Individuals or groups may express support for one or more candidates in class or club newsletters, or similar printed and web publications – there should be no fee incurred by the individual or group;
  - G. Complaints about campaigning should be made to the Governance and Ethics Committee Chair who may forward them to the Review Board, if necessary.
- 6.06 ELECTION OF ELECTED DIRECTORS
- A. Uncontested Election. In an election where the number of Elected Directors to be elected is equal to or less than the number of open seats, the staff shall tally the votes, including the number of votes cast, record whether each ballot is cast by an individual member, record whether a membership has cast more votes than to which they are entitled, and report the total number of votes cast and the names of the winners to the Board of Directors at the Annual Meeting.
  - B. Contested Election. In an election where the number of Elected Directors to be elected is greater than the number of open seats, the staff shall tally the votes, including the number of votes cast for each candidate, record whether each ballot is cast by an individual member, record whether a membership has cast more votes than to which they are entitled, and report the total number of votes cast for each candidate to the Board of Directors at the Annual Meeting. Prior to that report, the Governance and Compliance Committee shall review the tally and validity of the election process.



### 7 OPERATIONS AND ADMINISTRATION

#### 7.01 PROGRAM DEVELOPMENT

- A. US Sailing's Officers, division leadership, and committees shall regularly evaluate and propose new or improved activities within their areas of responsibility that promote and encourage membership growth and retention. This information shall be reported by the Board to the membership annually.
- B. Individuals who use US Sailing services and benefits should be members of US Sailing.

#### 7.02 LOGO POLICY

- A. The use of the US Sailing logo and related logos, including the US Sailing Team, US Youth World Team, and US Powerboating, is controlled by US Sailing.
- B. The use of the USSF logo and any logo created for USSF are controlled by US Sailing.
- C. Members of US Sailing are permitted and encouraged to utilize the logos, seals, name, banners, flags, or the burgee of US Sailing in a non-commercial manner to promote its visibility within the sport and to the general public, reinforce its purposes stated in the bylaws, and promote a positive, healthy image. Such use shall not imply any endorsement by US Sailing for the associated activity. In cases of improper use, such permission may be withdrawn by the Marketing Director.
- D. Corporate sponsors and licensees of US Sailing may use the US Sailing name and/or logos for commercial purposes in accordance with the Logo Use Guidelines published from time to time by US Sailing. Unless expressly agreed to by US Sailing in writing, such use shall not imply any endorsement, accreditation, or sponsorship by US Sailing. Administration of the logo use by corporate sponsors and licensees shall be the responsibility of the Marketing Director.
- E. Use of the logo by organizations engaged in sailing instruction shall be subject to the written approval of the Education Director without regard to their qualifications as a corporate sponsor.
- F. Questions arising under this policy which cannot be resolved by the respective directors as provided above will be referred to the Chief Executive Officer.
- G. Use of the US Sailing Team logo, which is a registered trademark, and association with the US Sailing Team in advertising, is limited to companies and other organizations that have executed a prior agreement with US Sailing.

#### 7.03 DOCUMENT RETENTION POLICY

US Sailing shall have a written and mandatory Document Retention Policy that is monitored, justified, and administered. The policy shall:

- A. contain procedures for the periodic destruction of documents.
- B. provide guidelines for handling electronic files and voicemail.
- C. define back-up procedures for the archiving of documents, including methods to make regular checkups of the reliability of the system.
- D. be approved by the Board and published in a specific and recognizable location on the US Sailing website.



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### 8 FINANCE

#### 8.01 ADOPTION OF NOT-FOR-PROFIT ACCOUNTING PROTOCOLS

US Sailing shall apply generally accepted accounting principles (GAAP) and regularly obtain not-for-profit accounting pronouncements. US Sailing shall require continuing education in proper accounting techniques and their application for appropriate personnel.

#### 8.02 AUTHORITY TO TRANSFER FUNDS AND SIGN CHECKS

A. The Chief Executive Officer and any other persons approved by the Board from time to time shall have the authority to sign checks or wire funds on behalf of the organization. Checks shall require two signatures, one of which shall be the Chief Executive Officer if the check amount exceeds \$25,000. Electronic signatures of authorized signatories may be used on payroll checks.

B. Authority to issue checks, or to transfer funds from the organization's accounts to third persons, is limited to payment of:

(1) expenses which fall within the budget approved by the Board; or

(2) expenses otherwise approved by the Board or its delegate as set forth in Regulation 8.06.

#### 8.03 CONTRACTUAL AUTHORITY

A. Contractual authority for US Sailing resides with the Board but shall be delegated to the Chief Executive Officer as follows:

1. for less than \$20,000 that do not involve new policy decisions;
2. for contracts involving a budgeted line item previously approved by the Board; and
3. for new marketing or sponsorship revenue contracts less than \$100,000 that are not included in the Board-approved budget.

However, any contract that may involve adverse budget variances greater than \$20,000, or contracts greater than \$100,000 that are not included in item 2 above, shall first be reviewed by a sub-committee appointed by the President. The sub-committee shall report to the Board and shall at minimum include the Treasurer, the Budget Committee Chair and at least two additional members of the Board. Board actions under this regulation shall be noted in the official minutes of the meeting during which the approval is granted.

B. In addition to the requirements of Regulation 8.03.A, any negotiation for a sponsorship contract for a US Sailing Championship shall require prior notification to the Competition Division Chair and the chair(s) of the affected championship(s).

#### 8.04 BORROWING AUTHORITY

The Board has authorized the establishment of a Letter of Credit and the use of deferred membership dues to provide cash flow during seasonally slow periods. When such borrowing is needed, funds from the deferred membership dues shall be used before the LOC so long as the organization benefits from a lower cost of funds by doing so. The Chief Executive Officer shall report all such borrowing in the Director's monthly report along with a projection of cash flow for the following three months. All borrowing shall be repaid as soon as is feasible based on incoming cash and projected outflows.

#### 8.05 PRODUCT PRICING

The Chief Executive Officer is responsible for establishing or approving pricing of US Sailing products, subject to policies determined by the Board.

#### 8.06 EXPENSE REIMBURSEMENT



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- A. Requests for reimbursement of expenses shall be submitted within 30 days for staff and within 60 days for volunteers.
  - B. The President's and Chief Executive Officer's expenses shall be approved for reimbursement by the Treasurer.
  - C. Eligibility for reimbursement of volunteer expenses shall be established prior to the expenses being incurred and shall be approved by the Chair of the appropriate committee and the appropriate Staff Director with oversight by the Chief Executive Officer. Disputes will be resolved by the President and Treasurer with approval of the Board.
  - D. Mileage will be reimbursed at the rate then allowed by the Internal Revenue Service. Food expense for volunteers will be reimbursed at the daily rate set by the Internal Revenue Service (IRS) guidelines unless otherwise approved by the Chief Executive Officer.
  - E. Expense reimbursement for volunteer delegates attending international meetings on behalf of US Sailing will, on request, be reimbursed for the cost of reasonable round-trip airfare and provided an agreed upon per diem of \$200.
- 8.07 [RESERVED]
- 8.08 EXCESS FUNDS
- Excess funds generated from a specific US Sailing Championship or group of championships shall be designated as temporarily restricted funds for the future support of that championship or group of championships. Requests to draw on this account shall be submitted by the Championships Committee to the Board for approval.
- 8.09 OLYMPIC SAILING FUNDS
- The Olympic Windfall Fund originated from payments made to US Sailing from the surplus generated from the 1984 Olympic Games in Los Angeles. The Fund has been designated by the Board of Directors solely for the support of Olympic sailing, including training and development, and associated Olympic Sailing Division department and organizational overhead and operating expenses. Disbursements from the Fund are therefore restricted to these purposes.
- A. The Fund shall be invested to provide for long term appreciation and stability and use in perpetuity. The Board of Directors is responsible for carrying out this policy and may hire professional investment managers to provide investment services.
  - B. The Olympic Sailing Office may request up to 4.5 % of the value of the Fund determined as of September 30<sup>th</sup> previous to the budget year in question, to be included in the Olympic Sailing Committee's annual budget using the budget process of US Sailing, and may make such other requests directly to the Board as the Olympic Sailing Office considers necessary for the good of the Olympic sailing program. Approvals of funding requests not taken by the Olympic Sailing Office by the close of business December 31<sup>st</sup> each budget year shall expire and shall not carry forward to succeeding budget years.
  - C. All disbursements from the Fund shall be approved by the Board, which shall determine if the disbursement is prudent based on considerations of the long term preservation of the Fund, economic conditions, the Fund's expected total return, other resources available for the same purpose, the importance of the activity the disbursement will support, and other considerations as deemed appropriate by the Board.
  - D. Additional monies raised for the benefit of the Olympic Sailing Program shall not be used for any purpose other than for the benefit of the Olympic Sailing programs. These funds shall





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- not be co-mingled with the general funds of the association but may be co-mingled with funds under the management of the U.S. Olympic Foundation.
- 8.10 **PERMANENTLY RESTRICTED FUNDS**  
Endowments and other permanently restricted funds shall be established with a minimum of \$10,000.
- 8.11 **NON-CASH DONATIONS**  
US Sailing shall comply with GAAP with regard to non-cash contributions. Gifts of securities shall be sold immediately upon receipt to preserve value of the donation. Other non-cash donations shall be recorded at fair value on the date of the gift.
- 8.12 **PROPERTY AND EQUIPMENT**
- A. US Sailing shall comply with GAAP with regard to impairment of long-lived assets and for long-lived assets to be disposed of.
  - B. The association shall conduct an annual physical inventory of all property and equipment for comparison with accounting records and write-off of any non-recoverable assets or fully depreciated assets that cannot be located.
  - C. All properties of US Sailing are subject to the contract authority set forth in Regulation 8.03 and provisions approved by the Board. The Chief Executive Officer shall establish and maintain a complete list of all titles, events, programs, activities, and other tangible and intangible properties of US Sailing. The list shall be available at US Sailing's offices.
  - D. Products, including databases and intellectual properties, procured with US Sailing funds are the property of US Sailing. US Sailing shall respect the restrictions imposed on the use of such property as a condition of procurement.
  - E. US Sailing may make the personal membership list available for commercial rental subject to:
    - 1. the approval of the Chief Executive Officer and the Management Division Chair;
    - 2. the list being coded to prevent misuse; and
    - 3. the ability for a member to opt out of receiving commercial messages.
- 8.13 **COMPETITOR FUNDING**
- A. A competitor who wishes to be considered for US Sailing funding shall be a member of US Sailing and must regularly sail in the United States. Grants to non-U.S. citizens, as recommended by the granting committee, may be considered by the Board.
  - B. A competitor who accepts grants from US Sailing or its constituent bodies and who represents another country in an international class, world or continental championship, World Sailing World event, the Olympics, Pan American or Area Games associated and/or affiliated with the Olympics or any event that is a qualifying event for the US Sailing Team shall forfeit eligibility for funding for a period of three years. A U.S. citizen who has competed in any of the above mentioned events representing a country other than the United States shall not be eligible for US Sailing Team membership for a period of three years.

## 9 MEETINGS

### 9.01 SMOKING



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Every US Sailing meeting shall be conducted in a SMOKE-FREE environment. This shall include, but not be limited to, meeting rooms, registration areas, hallways and public areas, cocktail parties, receptions, dinners and event venues.

### 9.02 FIRST BOARD OF DIRECTORS MEETING

The Board shall meet within one (1) day of the close of the Annual Meeting for the purpose of electing officers as described in Bylaw 311 and conducting such other business as appropriate.

### 9.03 COMMITTEE MEETINGS

Meeting requirements and authorized methods of conducting business are stated in Bylaw 511-7.

### 9.04 COMMITTEES OPEN FORUM ASSEMBLY

At each US Sailing Annual General Meeting, the Board of Directors shall plan to convene at least one assembly, of sufficient duration, to serve as an open forum for all US Sailing members and the Committees of the Association to share their concerns on items of interest and potentially develop consensus recommendations to the Board of Directors

## 10 CHAMPIONSHIPS AND OTHER US SAILING EVENTS

### 10.01 ADMINISTRATION

#### A. US Sailing Events and Championships

1. All US Sailing events and championships, at all levels, shall be held at sites free of power line hazards.

#### B. US Sailing Championships

1. Guidelines for sailing instructions, notices of race and conditions adopted by the Championships Committee shall be used for all US Sailing championships at all levels. Exceptions shall be approved in advance by the relevant championship chair and organizing committee, and the Chair of the Championships Committee.
2. Race officers, judges, and umpires at US Sailing championships shall be appointed in accordance with Regulation 10.06.
3. Championship conditions shall be maintained and approved by the sponsoring committee and the Championship Committee. The current version of the championship conditions shall be available on the US Sailing website. As documented below, some conditions may require permission of the Board.
4. Event organizing committees shall communicate, coordinate, and consult with US Sailing committees that support and promote the event's sailing discipline or constituency.
5. The venues for US Sailing championships shall be located in the U.S. unless an exception is approved by the Board. A Regional Sailing Association, club or Local Sailing Organization outside the United States may host qualifiers for US Sailing championships, provided the host club or Local Sailing Organization is a member of US Sailing.

### 10.02 NON-USA RESIDENT PARTICIPATION IN US SAILING CHAMPIONSHIPS

- A. Unless the notice of race for a particular championship requires US citizenship or resident alien status, participation in US Sailing championships is open to non-US citizens (including resident and non-resident aliens), provided all other requirements of the Championship are met. Specific championships may require US citizenship or resident alien status by stating the requirements in the notice of race and in the championship conditions. Non-resident



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- aliens may request a waiver. Creating a new requirement of US citizenship for a championship requires approval of the Board.
- B. When the Championship is a qualifier for international or any other competition the top finisher(s) qualified to represent the US will qualify. The Olympic Sailing Committee may make exceptions to this regulation for any trials held under the auspices of the OSC.
  - C. Non-US citizens may serve as race officials at US Sailing championships as per Regulation 10.06.

### 10.03 PROHIBITED SUBSTANCES

- A. For adult US Sailing championship events, no competitor shall use or possess, either on or off the water: marijuana or any other substance if possession is illegal under state or federal law.
- B. For Junior and Youth events or for junior or youth competitors in any US Sailing championship, no participant or competitor shall use or possess, either on or off the water:
  - 1. marijuana or any other substance if possession is illegal under state or federal law; or
  - 2. any alcoholic beverages.
- C. An alleged breach of one of these regulations shall not be grounds for a protest; this changes rules 60.1(a), 60.2(a) and 60.3(a). However, when the protest committee believes that a competitor may have breached one of these regulations, it shall follow the process described in the Championships Code of Conduct. If a competitor is found to have breached one of the elements within the Code of Conduct, they shall be excluded from the remaining races of the series and, where practicable, removed from the regatta venue and sent home. When a competitor withdraws from part of an event pursuant to the Code, the scores of all completed races shall stand for the purposes of determining the seeding of subsequent rounds or stages in the event. However, that competitor's boat/team will no longer be eligible to compete in the event, shall be removed from the final event scores, and each boat/team with a worse finishing place in the event shall be moved up one place.
- D. Either Regulation 10.03 A or 10.03 B, as appropriate, and Regulation 10.03 C shall be included in the Notice of Race and the Sailing Instructions for every US Sailing championship.

### 10.04 USE OF PERSONAL FLOTATION

- A. Adult Qualifying and Championship Events
  - 1. For US Sailing Adult qualifying and championship events in keelboats, each competitor shall wear a USCG approved PFD at all times while on the water, except for brief periods while adding or removing clothing.
  - 2. For championship and qualifying events in dinghies, each competitor shall wear a USCG approved life jacket that is 100% dependent on foam for flotation and the appropriate size for the sailor, at all times while on the water, except for brief periods while adding or removing clothing.
- B. Youth or Junior Events, including Junior Olympics, Qualifying, and Championship Events  
For all US Sailing Youth or Junior sanctioned events (Jos, qualifiers, finals), each competitor shall wear a USCG approved life jacket that is 100% dependent on foam for flotation and the appropriate size for the sailor, at all times while on the water, except for brief periods while adding or removing clothing.
- C. Exceptions  
Where the World Sailing Offshore Special Regulations (OSR) apply, they replace this requirement. Competitors from outside the U.S. may wear a PFD approved by their nations' certification authority to the extent permitted by international treaty.
- D. Notice of Race and Sailing Instructions



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Regulations 10.04 A 1, 10.04 A 2, or 10.04 B, as appropriate, shall be included in the Notice of Race and Sailing Instructions. The Sailing Instructions shall include the words, "A violation of this Instruction may be protested by race officials or a competitor; however, an inadvertent and momentary breach of this instruction may receive a penalty less than disqualification at the discretion of the protest committee. This changes rule 64.1"

### 10.05 PERPETUAL CHAMPIONSHIP TROPHIES

- A. Perpetual trophies for US Sailing Championships shall be on permanent display in a place approved by the relevant sponsoring committee and the Championship Committee.
- B. The perpetual trophy for a US Sailing Championship shall be on display at the venue for that event while it is being held whenever possible. US Sailing shall arrange for the transport of perpetual trophies to and from such venue (including appropriate insurance).
- C. Winners of a US Sailing perpetual trophy shall receive a framed photograph of the trophy, with a similar framed copy to go to the winner's club.

### 10.06 RACE MANAGEMENT, UMPIRING, AND JUDGING

- A. General Policy
  1. No person may serve as a member of the umpire team, protest committee, or as the principal race officer at an event in which any competitor in the event is a close relative, an employer, or an employee. A close relative is an individual related to another person or the person's spouse within the third degree. This includes a parent, grandparent, great-grandparent, sibling, child, grandchild, great-grandchild spouse or close relative of a spouse including a step- or in-law relative.
  2. Volunteers shall comply with US Sailing Regulation 14 – Code of Ethics.
  3. The host club or venue shall appoint US Sailing certified race officials, at the appropriate level, to the protest committee or the umpire team, and to key positions on the race committee.
  4. Except in case of illness or emergency, the protest committee shall consist of a minimum of three judges.
- 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 Regional Judge or National Judge as chief judge. Require that a majority of the jury be certified US Sailing judges (at any certification level).
  3. At match or team racing events, require the appointment of a certified US Sailing National Umpire as chief umpire. Require that at least one half of the umpire team be US Sailing certified umpires (at any certification level).
  4. Exceptions must be approved by the US Sailing chair of the applicable championship and:
    - The national chair of the applicable championship committee, and
    - The chair of the applicable race officials committee (Judges, Race Management, Umpires).
  5. If the requirements for appointments cannot be met at least 60 days before the start of the event after allowing for exceptions, an alternate venue may be chosen.
- C. National Championship Events:
  1. Require the appointment of a certified US Sailing National Race Officer as PRO, but may accept a certified US Sailing Regional Race Officer if a US Sailing National Race Officer acts as DRO.



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2. Require the appointment of a certified US Sailing National Judge as chief judge. Require that a majority of the protest committee be certified US Sailing judges (at any certification level).
  3. At match or team racing events, require the appointment of a certified US Sailing National Umpire for chief umpire. Require that a minimum of one half of the umpire team be US Sailing National Umpires.
  4. The only exception shall be a reduction in certification level. Exceptions may be made with the approval of the chair of the US Sailing Championship committee involved, together with:
    - The national chair of the US Sailing Championships Committee, and
    - The chair of the applicable race officials committee (Judges, Race Management, Umpires).
  5. If the requirements for an appointment cannot be met at least 60 days before the start of the event after allowing for exceptions, an alternate venue may be chosen.
- 10.07 COACHING AND SUPPORT BOATS
- A. General Policy
    1. At Championships or other events where coaching is offered or allowed, the Organizing Authority shall follow the US Sailing Coaching and Support Boat Policy at <http://www.ussailing.org/racing/championships/coaching-and-support-boat-policy/>.
    2. All US Sailing championships or qualifiers are given a level of Grade 1, Grade 2 or Grade 3 as described in the US Sailing Coaching and Support Boat Policy.
  - B. Notice of Race and Sailing Instructions
    1. The Organizing Authority and Race Committee shall state in the Notice of Race and Sailing Instructions the Grade given to the event.

## 11 RACE ADMINISTRATION

### 11.01 RACING RULE PROPOSALS TO WORLD SAILING

The Racing Rules Committee will propose changes in the RRS to the Board at a time determined by the Board such that the Board has sufficient time to consider them and to then submit them to World Sailing by the annual deadline determined by World Sailing.

### 11.02 US Sailing PRESCRIPTIONS

- A. Proposals to make a substantive change in a US Sailing prescription to the racing rules, or to propose a new one, shall be transmitted to the Racing Rules Committee no later than February 15<sup>th</sup> of the year preceding the year in which the new racing rules will take effect.
- B. A Conference Committee shall review a draft of the US Sailing prescriptions prepared by the Racing Rules Committee. The draft shall be transmitted to the Conference Committee by July 15<sup>th</sup>. The Conference Committee shall consist of the three members of the Racing Rules Committee appointed by its Chair and three members appointed by the President.
- C. By August 15<sup>th</sup>, the Conference Committee shall transmit the prescriptions, including any amendments they wish to propose, to the Board and the Racing Rules Committee for final approval. If final approval is not obtained prior to September 15<sup>th</sup>, the Board and the Racing Rules Committee shall meet in-person or by conference call.
- D. Only prescriptions approved by the Board shall be incorporated into the RRS.

### 11.03 APPEALS

- A. When a decision of the Appeals Committee is selected for publication, it shall be inserted in the current edition of US Sailing Appeals and World Sailing CASES and posted on the



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US Sailing website. When a new edition of the book is published following the revision of The Racing Rules of Sailing, decisions previously posted on the US Sailing website shall be removed.

- B. The Appeals Committee proposes, for approval by the Board, the submission of US Sailing Appeals to World Sailing for adoption as World Sailing Cases.

### 11.04 World Sailing CERTIFICATION

- A. The applicable Race Administration Division committee shall review an application for International Judge, International Measurer, International Race Officer, and International Umpire, and acceptable applications shall be submitted to the Board for approval as US Sailing nominations for World Sailing certification.
- B. In the case of an application for an International Measurer, comment and review shall be solicited from the applicable U.S. Class Association or Fleet of an International Class Association or Fleet regarding the application prior to submitting the application with these comments to the Board.

## 12 COMPETITION

### 12.01 SELECTION OF INTERNATIONAL TEAMS

The International Selection Committee (ISC) determines the process by which athletes are selected to represent the United States at international sailing events including, but not limited to:

- US Olympic Team
- US Pan Am Games Team
- US Youth Worlds Team
- US Youth Match Racing Worlds Team

### 12.02 PROTECTED COMPETITIONS

- A. **Definition.** For the purposes of this Regulation, a Protected Competition, which includes NGB Qualifying Competitions, has the meaning as defined in the USOPC Bylaws. In Sailing, “Protected Competitions” are the Olympic Games, the Paralympic Games, the Pan American Games, the Parapan American Games, and any event US Sailing organizes or approves as a selection event for those events. The selection events are called “NGB Qualifying Competitions.”.
- B. **Procedures for NGB Qualifying Competitions.** US Sailing shall ensure that the organizing authority includes the following rules and procedures in the notice of race for a NGB Qualifying Competition other than a competition for which US Sailing is not the organizing authority and has an international jury constituted in compliance with Appendix N of *The Racing Rules of Sailing*:
- The US Sailing prescriptions to rules 60.3, 63.1, and 63.2 shall apply to an NGB Qualifying Competition, except that the words “when practicable” in (a) and (b) in the prescription to rule 63.1 are deleted.
  - Protest committees for a hearing shall include 33.3% Sailor Athlete representation. At least half of those Sailor Athletes shall be 10 Year Athletes. The remaining Sailor Athletes shall be either 10 Year or 10 Year+ Athletes.
  - The right of appeal will not be denied under rule 70.5(a), (b), or (c), but an expedited appeal process will be used that balances the needs of the competitor for certainty with





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respect to berths in future competitions and sufficient time to prepare the arguments and evidence for the appeal (see rule R8, Expedited Appeals).

- Any boat that is a party to a redress hearing may be represented by up to two individuals.
- If a hearing is scheduled after the event is concluded and after the sailors and officials have left the venue, it will be scheduled as soon as possible, and in a place and manner chosen with deference to the competitor's preferences or circumstances; and parties to the hearing have the right to be present telephonically or via video feed as appropriate, provided all participants can see, hear, and speak to each other.

C. **Notices of Race for NGB Qualifying Competitions.** The organizing authority shall submit their notice of race to US Sailing for review using the following procedure:

- US Sailing will provide the organizing authority with the text that must be inserted verbatim in the notice of race, including a link to the relevant published ISC selection document,
- The ISC shall review the notice of race and either approve it or suggest changes.
- If the organizing authority accepts the changes, the modified race document is approved.
- If the organizing authority does not accept the changes, the event will not be utilized as an NGB Qualifying Competition.

### 12.03 US SAILING SELECTION COMPETITIONS

A **Definition.** For the purposes of this Regulation, a "US Sailing Selection Competition" is an event approved by US Sailing where the athlete's performance or results are considered in the published selection criteria to represent the United States in an event other than the Olympic Games, Pan American Games, Paralympic Games and Parapan American Games.

B **Procedures for US Sailing Selection Competitions.** When the US Sailing Selection Competition does not have an international jury constituted in compliance with Appendix N of The Racing Rules of Sailing, US Sailing shall ensure that the organizing authority includes the following rules and procedures in the notice of race:

- The US Sailing prescriptions to rules 60.3, 63.1, and 63.2 shall apply to a US Sailing Selection Competition.
- The right of appeal will not be denied under rule 70.5(a), (b), or (c), but an expedited appeal process will be used that balances the needs of the competitor for certainty with respect to berths in future competitions and sufficient time to prepare the arguments and evidence for the appeal (see rule R8, Expedited Appeals).
- If a hearing is scheduled after the event is concluded and after the sailors and officials have left the venue, it will be scheduled as soon as possible, and in a place and manner chosen with deference to the competitor's preferences or circumstances; and parties to the hearing have the right to be present telephonically or via video feed as appropriate, provided all participants can see, hear, and speak to each other.

C **Notices of Race for US Sailing Selection Competitions.** The organizing authority shall submit their notice of race to US Sailing for review using the following procedure:

- US Sailing will provide the organizing authority with the text that must be inserted verbatim in the Notice of Race, including a link to the relevant published ISC selection document,
- The ISC shall review the notice of race and either approve it or suggest changes.
- If the organizing authority accepts the changes, the modified race document is approved.



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- If the organizing authority does not accept the changes, the ISC may choose to not use the event as a US Sailing Selection Competition.

### 12.04 ANTI-DOPING

- A. Each athlete member of US Sailing shall comply with the anti-doping rules of World Sailing, USOPC and USADA.
- B. Sailor Athletes are subject to doping control testing by USADA as follows:
  1. Members of the US Sailing Team shall be subject to In-Competition Testing at selected events held in the United States, and Out-of-Competition Testing with no-Advance-Notice. Not complying with this and all related location notification requirements of the USADA may be grounds for forfeiture of membership on the US Sailing Team and any of its benefits.
  2. Any athlete who has self-registered with the Olympic Sailing Program as an actively campaigning sailor in any of the Olympic Equipment "Class" Boats shall be subject to In-Competition Testing in selected events in the United States. In addition, any athlete who chooses to compete in the Selection Trials for the Olympic Games, Paralympic Games, and Panam Games, shall also be subject to in-Competition Testing at those events.
- C. It is the duty of individual members of US Sailing to comply with all anti-doping rules of the World Anti-Doping Agency (WADA), World Sailing, the USOPC including the USOPC National Anti-Doping Policy, and of the U.S. Anti-Doping Agency (USADA), including the USADA Protocol for Olympic and Paralympic Movement Testing (USADA Protocol) and all other policies and rules adopted by WADA, World Sailing, the USOPC and USADA. Athlete members agree to submit to drug testing by World Sailing and/or USADA or their designees at any time and understand that he use of methods or substances prohibited by the applicable anti-doping rules make them subject to penalties including, but not limited to, disqualification and suspension. If it is determined that an individual member may have committed a doping violation, the member agrees to submit to the results management authority and processes of USADA, including arbitration under the USADA Protocol, or to the results management authority of World Sailing, if applicable or referred by USADA.
- D. It is the duty of all Athletes, Athlete Support Personnel and other Persons (as those terms are defined in the World Anti-Doping Code), by virtue of their participation in the Olympic, Paralympic, Pan American, Parapan American or Youth Olympic Games, participation in an Event or Competition organized or sanctioned by an NGB, PSO or HPMO, participation on a national team, utilization of a USOPC Training Center, receipt of benefits from the USOPC or US Sailing, inclusion in the Registered Testing Pool, or otherwise subject to the World Anti-Doping Code to comply with all anti-doping rules of WADA, World Sailing, the USOPC, and of the U.S. Anti-Doping Agency (USADA), including the USADA Protocol for Olympic and Paralympic Movement Testing (USADA Protocol) and all other policies and rules adopted by WADA, World Sailing and USADA. If it is determined that an Athlete, Athlete Support Personnel, or other Person may have committed a doping violation, the individual agrees to submit to the results management authority and processes of USADA, including arbitration under the USADA Protocol, or to the results management authority of World Sailing, if applicable or referred by USADA. In addition, Athletes agree to submit to drug testing by World Sailing and/or USADA or their designees at any time and understand that the use of methods or substances prohibited by the applicable anti-doping rules make them subject to penalties including, but not limited to, disqualification and suspension.
- E. US Sailing will enforce any and all anti-doping sanctions imposed by USADA and/or the WADA on any member of US Sailing



### 13 ACCESS, RIGHTS, PROTECTION

#### 13.01 EQUAL ACCESS

US Sailing will not knowingly accept an invitation from, or sanction any event hosted by, a club or organization which has discriminatory practices contrary to Bylaw 201.

#### 13.02 HANDICAP ACCESS

US Sailing events, meetings and championships shall have consideration given for handicap access.

#### 13.03 PROHIBITION OF INDEMNIFICATION AND HOLD HARMLESS AGREEMENTS

A. Events operated in accordance with the policies, procedures, rules and prescriptions of US Sailing shall not require competitors, as a condition of entry, to personally indemnify and/or hold harmless (or similar word or words), any event organizer, its officers, employees, agents, or members.

B. With regard to racing events, this regulation is implemented by a US Sailing Prescription to the RRS.

#### 13.04 SEXUAL MISCONDUCT OR HARASSMENT POLICY

A. As its sexual misconduct or harassment policy, US Sailing supports, adopts and will implement the SafeSport Code for the U.S. Olympic and Paralympic Movements Effective April 15, 2019, and the U.S. Center for SafeSport Minor Athlete Abuse Prevention Policies dated January 23, 2019, each as may be amended from time to time, issued by the U.S. Center for SafeSport (collectively the "SafeSport Policies"), together with the US Sailing SafeSport Policy Handbook approved May 13, 2019 (the "US Sailing SafeSport Handbook"). The SafeSport Policies are currently available at <https://SafeSport.org/policies-procedures> and are incorporated in these regulations by reference. The US Sailing SafeSport Handbook is available at <https://SafeSport.USSailing.org>, and is incorporated in these regulations by reference.

B. Any grievance implicating SafeSport Policies or the US Sailing SafeSport Handbook shall be subject to US Sailing Regulation 15.01.A.2, except to the extent jurisdiction over such grievance falls within the exclusive jurisdiction of the U.S. Center for SafeSport.

#### 13.05 PHYSICAL MISCONDUCT, BULLYING, HAZING, HARASSMENT, OR EMOTIONAL MISCONDUCT POLICY

A. As its physical misconduct, bullying, hazing, harassment, or emotional misconduct policy, US Sailing supports, adopts and will implement the SafeSport Code for the U.S. Olympic and Paralympic Movements Effective April 15, 2019, and the U.S. Center for SafeSport Minor Athlete Abuse Prevention Policies dated January 23, 2019, each as may be amended from time to time, issued by the U.S. Center for SafeSport (collectively the "SafeSport Policies"), together with the US Sailing SafeSport Policy Handbook approved May 13, 2019 (the "US Sailing SafeSport Handbook"). The SafeSport Policies are currently available at <https://SafeSport.org/policies-procedures> and are incorporated in these regulations by reference. The US Sailing SafeSport Handbook is available at <https://SafeSport.USSailing.org>, and is incorporated in these regulations by reference.

B. Any grievance implicating SafeSport Policies or the US Sailing SafeSport Handbook shall be subject to US Sailing Regulation 15.01.A.2, except to the extent jurisdiction over such grievance falls within the exclusive jurisdiction of the U.S. Center for SafeSport.

#### 13.06 COVERED INDIVIDUALS



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This listing of Covered Individuals does not apply to US Sailing’s organizational members; however, US Sailing strongly encourages its organizational members to adopt similar SafeSport programs and policies.

For 2017 and following years, “Covered Individuals for US Sailing under SafeSport policies include the following:

- E. Group 1 (require SafeSport training and background checks)
  - All US Sailing staff and interns;
  - Each member of the US Sailing Board of Directors; and
  - Each member of the US Sailing Olympic Sailing Committee.
- F. Group 2 (require SafeSport training and background checks)
  - For US Sailing Championships and the US Sailing Team:
    - Staff coaches; contract coaches; US Sailing coach applicants; and
    - Support personnel including (but not limited to) medical; therapeutic; and boatwrights.
- G. Group 3 (other individuals agreed by SafeSport and US Sailing to be within the SafeSport jurisdiction):
  - Group 3A (individuals that US Sailing requires to have SafeSport training for their certification to be valid):
    - US Sailing Certified Race Officials for US Sailing Championships and other events where US Sailing is the Organizing Authority such as PROs, umpires, judges, and members of the Technical Committee of the event.
  - Group 3B (individuals that US Sailing strongly encourages to have SafeSport training):
    - Committee Chairs that are responsible for US Sailing Championships.
  - Group 3C (constituents that US Sailing encourages to take SafeSport training):
    - Individual members.

## 14 CONFLICTS OF INTEREST

### 14.01 SCOPE

The US Sailing Conflicts of Interest Policy applies to Employees, Directors and Officers, Committee Members, Task Force Members, Hearing Panel Members, Volunteers, and, where reasonable, Contractors, who shall be required to comply with this Conflicts of Interest Policy through their written contracts (hereinafter “Covered Individuals”).

### 14.02 CONFLICT OF INTEREST; DEFINED

A. A Conflict of Interest exists when the activities or interests of a Covered Individual, or an immediate family member of a Covered Individual, interfere with, influence, or have the potential or perceived potential to interfere with or influence his or her responsibilities on behalf of US Sailing or undermine the interests of US Sailing. A Conflict of Interest also exists in the context of athlete or team selection when a Covered Individual participates in a selection decision that involves or impacts an athlete with whom the Covered Individual has a direct relationship with, or when a Covered Individual participates in a benefits or services allocation decision that directly impacts the Covered Individual.

B. For the purposes of this Conflicts of Interest Policy, an immediate family member of a Covered Individual includes a spouse, domestic partner, parent, parent of spouse/domestic partner, child, stepchild, child of a domestic partner, sibling, or the sibling of a spouse/domestic partner of a Covered Individual.



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### 14.03 GENERAL

- A. Covered Individuals shall refrain from placing themselves in a position wherein their ability to objectively perform their duties has been compromised or appears to be compromised due to a Conflict of Interest.
- B. As fiduciaries, Directors and Officers owe to US Sailing the duty of care and the duty of loyalty. The duty of care requires fiduciaries to be sufficiently well informed about the affairs of US Sailing and the qualifications of any officers, professionals, committees or others on whom they may rely to enable them to make honest, prudent, and good-faith decisions within the areas of responsibility of the Board. The duty of loyalty requires fiduciaries to keep the institution's interest paramount, subordinating their personal interests to the interests of US Sailing and the sport of sailing.

### 14.04 US SAILING EXPECTATIONS

Covered Individuals shall comply with the following:

- A. shall use a reasonable standard of care when acting on behalf of US Sailing;
- B. when a conflict of Interest arises, shall subordinate his or her personal and individual interests to the interests of US Sailing and the sport of sailing;
- C. shall refrain from placing himself, or herself, in a position wherein the ability to objectively perform his or her duties has been compromised or appears to be compromised, such as the acceptance of favors, gifts in violation of US Sailing's Gifts and Entertainment Policy or by any other activity;
- D. shall not use any property, asset or information of US Sailing, or any position of authority at US Sailing or similar organization, for personal or financial gain;
- E. shall refrain from participating in or voting on any issue in which he or she has a Conflict of Interest and shall disclose any such interest before any formal discussion of the issue prior to a vote by the other members of the Board, committee or other group;
- F. shall maintain the corporate and other records of US Sailing in compliance with Regulation 7.03 (Document Retention Policy); and
- G. shall not alter, cover up, falsify, or destroy any document to prevent its use in an official proceeding nor otherwise obstruct, influence, or impede any official proceeding.

### 14.05 VOLUNTEERS AT US Sailing EVENTS; CERTIFIED OFFICIALS AT ANY EVENT

Any individual involved in running an event organized or sanctioned by US Sailing; any individual selecting competitors to compete in an event organized by US Sailing or in the Olympic, Paralympic or Pan American Games; or any individual holding certification from US Sailing as a coach, instructor or race official, whether acting in the capacity for which they hold certification or otherwise, shall:

- A. avoid Conflicts of Interest, whether actual or perceived;
- B. subordinate his or her personal and individual interests to the interests of the sport of sailing and the competitors therein;
- C. apply and enforce the rules in a fair and even-handed manner; and
- D. respect the right of all competitors in the sport of sailing to fair and equal treatment, free from discrimination or harassment of any kind.

### 14.06 DISCLOSURE AND REVIEW OF CONFLICTS OF INTEREST

- A. Annual and Ongoing Disclosures.





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1. Covered Individuals shall complete an annual Conflict of Interest Disclosure (“Annual Disclosure”) and self-identify any Conflicts of Interest. In addition to the Annual Disclosure, Covered Individuals have an ongoing obligation to disclose any change in their personal activities, interests, or relationships that creates a new Conflict of Interest or changes the nature of a previously disclosed Conflict of Interest.
  2. A Covered Individual’s Conflict of Interest shall be disclosed in the Annual Disclosure, reported to the Board and any US Sailing committee in which the Covered Individual is a member, and documented in the Board and committee meeting minutes at the meeting in which the Conflict of Interest is reported. Any Covered Individual who is responsible for creating or enforcing selection procedures shall disclose any potential conflict of interest with any selection procedures decision to the Chair of the International Selection Committee who shall, in consultation with the Ethics Committee, determine the appropriate action(s) to manage such potential conflict of interest.
  3. Any Covered Individual appointed to a hearing panel including the athlete representative, is obligated to disclose all actual or potential conflicts of interest prior to being appointed to a hearing panel. The Ethics Committee will solicit and review potential panel members’ disclosures and, if necessary, make a determination on whether they are a disinterested party for the matter under review.
  4. All new US Sailing employees are required to complete an Annual Disclosure beginning with their first day of employment.
  5. Covered Individuals must recognize Conflicts of Interest. If a Covered Individual is unsure if a specific activity, interest, or relationship constitutes a Conflict of Interest, the Covered Individual should reach out to the US Sailing Staff Counsel and Compliance Manager who, with the guidance of the Ethics Committee, can help determine if a Conflict of Interest exists.
- B. Review of Conflicts of Interest.
1. All Annual Disclosures shall be collected and reviewed by the US Sailing Ethics Committee, except that Annual Disclosures for the CEO and members of the Board shall be collected by the Board Secretary and reviewed by the Board.
  2. The Ethics Committee and Board, as applicable, shall document any Conflict of Interest and determine any actions required to manage the Conflict of Interest. Any person involved with the review, investigation, and resolution of a disclosed or reported Conflict of Interest must be a disinterested party.
  3. The disclosure of a Conflict of Interest will not necessarily prohibit involvement in the disclosed activity or with US Sailing. Rather, each disclosure will be reviewed individually and actions may be recommended to protect the individual, US Sailing, and the integrity of the decisions made by those individuals and US Sailing from actual, potential, and perceived conflicts. These actions may include limitation of involvement, separation from certain US Sailing activities or votes, or requests to cease the activity in question. All follow up will be discussed with the relevant Covered Individual directly and any formal resolution shall be communicated to, and acknowledged by, Covered Individual in writing.
  4. Any decision with respect to a Covered Individual’s eligibility to participate in the disclosed activity or with US Sailing may be appealed pursuant to Section 15 of these Regulations.

### 14.07 REPORTING VIOLATIONS.





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- A. Covered Individuals shall report violations of this Conflict of Interest Policy to the Chair of US Sailing's Ethics Committee, which shall be responsible for reviewing reported violations of this Conflicts of Interest Policy. Any person involved with the review, investigation, and resolution of a violation of this Conflicts of Interest Policy must be a disinterested party.
- B. By reporting, a reporting party does not need to, and should not, investigate the matter or feel that they must provide a full narrative. Instead, the reporting party should report only the facts that they know and allow US Sailing to investigate the matter.
- C. US Sailing has zero tolerance for retaliation against people who make good faith reports of potential ethical, policy, or legal violations, or who cooperate with investigations of those reports. No US Sailing staff, board or committee member, or volunteer may threaten, harass, discriminate against, or take any negative employment related action (e.g., discharge, demotion, suspension, negative review) against the individual reporting a concern.

### 14.08 POLICY OWNER.

US Sailing Staff Counsel and Compliance Manager, Justin Sterk ([justinsterk@ussailing.org](mailto:justinsterk@ussailing.org)) can be contacted with any questions about this policy.

### 14.09 RESOURCES.

- A. Athlete Ombuds. The USOPC Office of the Athlete Ombuds and its staff (the Athlete Ombuds) offers independent, confidential advice to athletes regarding their rights and responsibilities in the Olympic and Paralympic Movement, and assists athletes with a broad range of questions, disputes, complaints, and concerns. The Athlete Ombuds' focus is to serve athletes who represent the U.S. in international competition. The Athlete Ombuds operates on the core principles of confidentiality and privacy, independence, and impartiality.

Additional information about, and contact information for, the Athlete Ombuds can be found online at <https://www.teamusa.org/athlete-ombuds>.

- B. USOPC Chief Ethics and Compliance Officer. The USOPC promotes a culture of ethics and compliance within the USOPC, among NGBs, and among individuals and entities that engage with the USOPC and NGBs. In keeping with this culture, the USOPC's Ethics and Compliance team is responsible for ensuring the USOPC and NGBs comply with the Ted Stevens Olympic and Amateur Sports Act, their own bylaws and policies, and any other applicable laws or regulations.

Additional information about, and contact information for, the USOPC Chief Ethics and Compliance Officer can be found online at <https://www.teamusa.org/ethics-and-compliance>.

### 14.09 US OFFSHORE OFFICIAL MEASURERS

A US Offshore Official Measurer shall:

- A. avoid conflicts of interest, whether actual or perceived;
- B. subordinate his or her personal and individual interests to the interests of the sport of sailing and the competitors therein;
- C. not participate in the measurement or processing of measurements of a yacht (wholly or partly) owned, designed, or built by the Measurer; or in which the Measurer is an interested party, has acted as a consultant, or has a vested interest.



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### 15 ADMINISTRATIVE, DISCIPLINE, AND GRIEVANCE PROCEEDINGS

#### 15.01 AUTHORITY

- A. Jurisdiction. This Regulation 15 constitutes the grievance and disciplinary proceedings process of the US Sailing Review Board described in Bylaw 516. The Review Board shall have jurisdiction over the following matters:
1. Administrative Proceedings. Proceedings based on a complaint filed by a member of the Association, or an individual or organization eligible to be a member of the Association, alleging a deficiency, seeking to compel the Association as a National Governing Body to comply with the requirements prescribed in the Sports Act and the USOPC Bylaws.
  2. Grievance Proceedings. Proceedings based on a grievance filed by a member of the Association alleging the denial of any rights delineated under the Bylaws and Regulations of the Association, the Act, or the USOPC Bylaws.
  3. Disciplinary Proceedings. Proceedings arising under Racing Rule 69.2 or based on a report that the conduct of any member of the Association is alleged to have injured the good name of the Association or to be prejudicial to the welfare and reputation of the Association or complaints against an Association member alleging a violation of any Code of Conduct provisions applicable to the member.
  4. Certification Decisions. Proceedings arising from a denial, reduction, or revocation of instructor/coach or race official certification.
- B. The Board, Review Board, Hearing Panel, arbitrator or mediator shall not have the authority to alter the standing of any boat in an event as determined by the Race Committee or Protest Committee for the event, or the appropriate Appeals Committee, nor have the authority to otherwise alter the decisions of Race, Protest, or Appeals Committees properly constituted under the RRS and any applicable US Sailing Prescriptions thereto.
- C. In all matters before the Review Board, the US Sailing Compliance Manager shall:
1. Provide administrative support for the grievance and disciplinary proceedings process outlined in Sections 15.02 – 15.07;
  2. Ensure compliance with all applicable deadlines as provided in Sections 15.02 – 15.07;
  3. Communicate in a timely manner with all parties involved in a grievance or disciplinary proceeding;
  4. Ensure all decisions of the Review Board comply with these Regulations;
  5. Ensure proper record keeping, documentation, retention, and storage of all Review Board filings, documentation, and decisions.

#### 15.02 FILING REQUIREMENTS

- A. A Complainant shall deliver the complaint or report using the US Sailing Grievance and Administrative Proceedings Report Form to the US Sailing Staff Counsel and the Review Board Chair. The Complainant shall have exhausted all available US Sailing remedies prior to filing unless it can be shown that those remedies would have resulted in unnecessary delay.
- B. All complaints filed under Section 15.01 shall be filed within 60 days of the occurrence of the alleged deficiency or within 15 days of exhausting all remedies, whichever is later, except for good cause shown.



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- C. A grievance filed under Section 15.01.A.2 of this Article regarding sexual misconduct shall be filed immediately to the U.S. Center for SafeSport Response and Resolution Office for their investigation and resolution.
- D. A disciplinary complaint or report of misconduct filed under Section 15.01.A.3 of this regulation, or a report received under Racing Rule 69.2 must be filed within 60 days of the occurrence of the alleged incident.

### 15.03 REVIEW OF FILING

- A. The Review Board Chair and the US Sailing Staff Counsel shall promptly investigate any complaint, grievance, or report of misconduct, seek information from the parties as to the merits of the complaint, and determine whether the complaint can be informally resolved to the satisfaction of the parties.
- B. Within 30 days of receipt of the filing and supporting documentation, a committee of not less than three members of the Review Board, including the Review Board Chair, shall issue a written determination as follows:
  - 1. Render a written decision indicating that the filing complies with these regulations and that reasonable grounds exist to proceed with a hearing or mediation on the complaint, grievance, or report of misconduct. Reasonable grounds to proceed exist unless:
    - a. The Review Board Chair resolved the matter to the satisfaction of the parties,
    - b. The person or organization filing the complaint or report has not exhausted all remedies as prescribed in Section 15.02.A,
    - c. The filing should more properly be addressed by a different organization or governing body,
    - d. That prior proceedings regarding the complaint, grievance, or report of misconduct have adequately addressed the matter, or
    - e. The filing lacks merit as determined by the Review Board Chair; or
  - 2. Render a written decision indicating that the filing will not proceed to a hearing or mediation and the reason for the decision. The person or organization filing the complaint may appeal this decision in accordance with Section 15.05.
- C. If the Review Board Chair decides to proceed to a hearing or mediation under Section 15.03.B.1, he or she shall:
  - 1. Within 14 days notify the Complainant, the Respondent, the President, and Chief Executive Officer of acceptance of the grievance and forward a copy of the Grievance and Administrative Proceedings Report Form and all evidentiary materials to the Respondent.
  - 2. Respondent shall have 10 days to provide the Review Board with a reason(s) why the complaint should not be taken on by the Review Board. The committee of the Review Board that made the initial determination shall have not more than 7 days from the date the Review Board receives said response from Respondent to consider Respondent's response and to decide whether reasonable grounds exist to proceed with a hearing. Reasonable grounds to proceed exist as long as the Review Board determines there remains a factual dispute that can only be addressed by holding a hearing pursuant to Section 15.04.
  - 3. Within 60 days:
    - a. Conduct a hearing in accordance with Section 15.04, or



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- b. At the discretion of the Review Board Chair, and with the consent of all parties, arrange for mediation in accordance with Section 15.03.E.
  - D. When the Review Board decides to proceed with a hearing involving a disciplinary proceeding under Section 15.01.A.3., it shall within 14 days deliver a Statement of Charges specifically describing the alleged misconduct to the party or parties involved. For all disciplinary proceedings brought before the Review Board involving potential violations of the US Sailing Code of Conduct, the Governance Committee shall represent US Sailing as the Complainant.
  - E. For complaints or grievances filed in accordance with 15.01.A.1. or 15.01.A.2., the Review Board may, after consultation with the parties, initially appoint a mediator. The mediator must not be a member of the hearing panel. The Association and the Parties shall use their best efforts to resolve the dispute through mediation. If mediation is unsuccessful or does not resolve the matter within 60 days of the appointment of the mediator, the Review Board shall conduct a hearing as prescribed herein. The Review Board Chair may extend this time at his or her discretion, with the consent of all parties.
  - F. An expedited hearing may be granted at the request of a Complainant or at the discretion of the Review Board Chair. If the Complainant requests an expedited hearing, the Review Board Chair may evaluate the reasons for the request and determine whether an expedited hearing is warranted based on the interest of justice. If an expedited hearing is warranted, the Review Board Chair will prepare an expedited timeline for all steps in the review and hearing process herein and deliver it to the Complainant and all affected parties as soon as practicable.
  - G. The Review Board at its discretion may, within the Association's jurisdiction, impose a penalty levied under Racing Rule 69 by another National Authority, and shall do so in circumstances required by Racing Rule 69.
- 15.04 HEARING PROCEDURE AND DECISION
- A. Hearing Panel Composition. When the Review Board Chair decides to conduct a hearing, he or she shall appoint a Hearing Panel of three Review Board members, at least one of whom shall be a 10-Year or 10-Year+ Sailor Athlete. The Review Board Chair shall appoint one hearing panel member to serve as Chair of the hearing panel. The Hearing Panel must be constituted of disinterested and impartial individuals.
  - B. Notice of Hearing. The Review Board Chair shall provide all parties with written notice regarding the place, date, and time of the hearing no later than 30 days prior to the scheduled date of the hearing. The written notice of hearing shall include the following:
    - 1. The name of the Respondent(s),
    - 2. The name of the Complainant,
    - 3. A copy of the complaint, which shall be set forth in sufficient detail to give the Respondent(s) reasonable notice of the charges and the facts supporting the charges,
    - 4. The deadline for submitting written briefs which shall be no later than 10 days prior to the scheduled hearing,
    - 5. The place, date, and time of the hearing (including that the hearing may be conducted by conference call or other electronic means),
    - 6. The names of the members of the Hearing Panel,
    - 7. The right of appeal and the time limit to file for an appeal,
    - 8. A date, no later than 10 days prior to the hearing date, by which each party shall provide to Review Board Chair (i) a complete list of any witnesses the party will call to testify at



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the hearing; and (ii) a complete set of any documents, pictures, videos, or other evidence the party will rely upon at the hearing, and (iii) if a party chooses, a written brief which shall comply with the requirements herein. The Review Board Chair shall promptly provide all evidentiary materials described herein to the Hearing Panel and all other parties.

9. The right to be represented by counsel.
- C. Recusal and Replacement of Hearing Panel Member. A Hearing Panel member, the Complainant, or Respondent may request the replacement of a hearing panel member on the basis of an alleged impartiality or conflict of interest. The request must be in writing and delivered to the Review Board Chair within 7 days of receipt of the names of the hearing panel members. The request must specify the basis for the request and provide all evidence supporting the request. The Review Board Chair shall review the objection and response, if any, of the Hearing Panel member in question. If the Review Board Chair determines in his or her sole discretion that the Hearing Panel member's service on the Hearing Panel may pose a conflict of interest or appearance of impropriety, the Review Board Chair may replace that member. The Review Board Chair shall, within five days of receipt of a request for removal, determine whether to grant the request and must notify the parties, the Chief Executive Officer, and the Board President of the decision in writing. The Review Board Chair's decision is final, binding, and may not be appealed under the Bylaws or Regulations of US Sailing.
- D. Written Briefs. All parties to a complaint may submit a written brief. Briefs shall be no longer than 5000 words. Briefs shall be submitted to the Review Board Chair.
- E. Hearing Procedure. All hearings shall be conducted pursuant to the following:
  1. A hearing shall be conducted in person, by conference call, video conference, or other similar electronic means. Each of the parties to the grievance is responsible for presenting their case to the Hearing Panel. Each party may be represented by counsel or by any other authorized representative at their expense. Each party is responsible for selecting the witnesses who they would like to provide testimony to the Hearing Panel and arranging for those witnesses to be available at the time of the hearing. Upon the request of either party or the determination of the Hearing Panel, the hearing may be closed, or the witnesses sequestered. The hearing may proceed in the absence of any party who fails to be available at the appointed time and judgement shall not be reached merely because of the person's absence. If the Hearing Panel Chair determines that the hearing cannot proceed without the absent party, the Hearing Panel Chair may adjourn the hearing and reschedule it for such time as the absent party can be presented. All hearings shall be recorded and a transcript of the hearing shall be entered into the record upon completion of the hearing.
  2. Time Limits. Unless otherwise agreed to by the parties, each party shall have equal time to present its case, not to exceed 1 hour. However, if there is more than one Complainant, the Complainants shall divide the maximum allocated time of not more than 1 hour among the Complainants. If there is more than one Respondent, the Respondents shall divide the maximum allocated time of not more than 1 hours among the Respondents. Upon showing of good cause, the Hearing Panel Chair may increase the time limits.
  3. Burden of Proof. For disciplinary proceedings brought under Section 15.01.A.3 the burden shall be upon the Complainant to prove the allegations contained in the complaint to the comfortable satisfaction of the Hearing Panel. For all other proceedings



before a hearing panel, the burden shall be upon the Complainant to prove the allegations contained in the complaint by a preponderance of the evidence.

4. Evidence. Copies of any documents, video files, or other tangible evidence that any party wishes the Hearing Panel to consider shall be delivered to the Review Board Chair no later than 10 days in advance of the hearing. Any evidence attempted to be submitted after this deadline will only be permitted at the discretion of the Review Board Chair with good cause shown. The Review Board Chair shall promptly deliver all evidentiary materials to the Hearing Panel and all parties. In the event that a party in a grievance hearing wishes the Hearing Panel to consider documentary evidence, the party offering such evidence must provide some testimony explaining the source of the documentary evidence (such as testimony that a video clip accurately shows the events depicted and that the video clip was not edited or altered, other than by excising the excerpt depicting the incident upon which the grievance is based from a longer video). The Hearing Panel will not consider written statements, declarations or affidavits from witnesses who do not participate in the grievance hearing as doing so would deprive the other party of an opportunity to question the person providing the written statement, declaration, or affidavit.
5. Order of Presentation. The Hearing Panel Chair will administer the grievance hearing. The hearing shall commence by the recording of the place, time, and date of the hearing, and the presence of the Hearing Panel members, parties, counsel, if any, and other witnesses or observers. The Hearing Panel Chair shall have full discretion to grant requests to change the order of presentation or alter the time limits. The order of presentation shall be as follows:
  - a. Opening statement(s) of Complainant(s)
  - b. Opening statement(s) of Respondent(s)
  - c. Presentation of evidence by Complainant(s)
  - d. Presentation of evidence by Respondent(s)
  - e. Presentation of rebuttal evidence by Complainant(s)
  - f. Presentation of rebuttal evidence by Respondent(s)
  - g. Closing statement(s) by Complainant(s)
  - h. Closing statement(s) by Respondent(s)
6. Opening Statement. Each party may present an opening statement setting forth generally the party's view of the issues in dispute, the relief sought and what they hope to prove with the presentation of evidence.
7. Presentation of Evidence. The Complainant may present his or her claims, proofs, and witnesses, who shall be subject to cross-examination by the other party and the Hearing Panel. Respondent may then present his or her claims, proofs, and witnesses, who shall also be subject to cross-examination by the other party and the Hearing Panel. The Hearing Panel may question any person at any time.
  - a. Witnesses. The purpose of providing testimony to the Hearing Panel is to provide the Hearing Panel with facts regarding the incident that forms the basis for the grievance. Therefore, witnesses should restrict their testimony to providing those facts, and should not: (a) argue with the testimony provided by the other party's witnesses or (b) testify regarding matters not pertinent to the grievance. The Hearing Panel Chair may interrupt a witness who attempts to provide such



testimony, direct the witness to restrict his or her testimony to relevant facts and, in extreme cases, preclude the witness from providing additional testimony.

- b. Cross Examinations. The purpose of a cross-examination is to clarify the testimony provided by a witness, it is not to argue with the witness, provide testimony rebutting the witness' testimony or to provide argument as to why the witness' testimony does or does not support the grievance. The Hearing Panel Chair may interrupt a party's cross-examination if the Hearing Panel Chair deems it to be improper and, in extreme cases, may preclude a party from further questioning of a witness.

8. Closing Statement. Following the conclusion of each party's presentation of evidence, each party will be given an opportunity to present a short argument explaining why they believe the evidence presented to the Hearing Panel supports its position. These closing statements shall not exceed 5 minutes.

- F. Decision. No later than 14 days after the conclusion of the hearing, the Hearing Panel shall render a decision in writing. The decision shall include the facts determined by the Panel, the grounds and reasoning for the decision, any directives or penalties imposed, and notice of the opportunity to appeal pursuant to Section 15.05. Facts found by the Hearing Panel are final and not subject to any reconsideration, review, or appeal. The decision of the Hearing Panel shall be binding on all parties unless appealed in accordance with Regulation 15.05. All parties will be notified of the Hearing Panel's decision via e-mail. The Review Board shall have the authority to stay the enforcement of its decision during the time allowed for appeal, with the decision going into effect automatically if no appeal is perfected during the allowable period.

### 15.05 APPEALS

- A. A party may appeal an initial decision to deny a hearing made under section 15.03.B.2 or the decision of a Hearing Panel under Section 15.04 F. A party may appeal a decision or its procedures, but not the facts found. Any such notice of appeal must be submitted not later than 14 days after receipt of the hearing panel decision. An Appeal shall be submitted to the Review Board Chair using the Review Board Appeal Form provided by US Sailing.
- B. In addition, a party may appeal or submit a complaint to an established major national provider of arbitration and mediation services based in the US and designated by the corporation with the concurrence of the USOPC AAC and the National Governing Bodies' Council pursuant to Section 220522(4)(B) of the Ted Stevens Olympic and Amateur Sports Act, 36 USC 220522(4)(B).
- C. Upon receiving written notice of appeal, the Review Board Chair shall promptly notify, in writing, and deliver a copy of the notice of appeal to the Chief Executive Officer, the President, the Hearing Panel Chair, and all other parties to the proceeding.
- D. All parties to the appeal may file a written brief no longer than 5000 words with the Review Board Chair not later than 21 days after delivery of the notice of appeal. The Review Board Chair shall promptly deliver copies of written briefs to all parties to the appeal.
- E. Appeals Panel Composition. For appeals filed in accordance with Regulation 15.05.A the Review Board Chair shall appoint an Appeals Panel of at least three Review Board members, at least 1/3 of whom shall be 10-Year or 10-Year+ Sailor Athletes. A member taking part in the appeal must not have been a member of the Hearing Panel and must be a disinterested individual.
- F. Appeals Panel Decision. No later than 30 days after receipt of the notice of appeal, the Appeals Panel shall meet in person, by conference or video call, or other similar electronic means to

review the appeal and issue a written decision. The Appeals Panel shall conduct a review of the parties' submissions, the decision under appeal, and record of the proceeding and within 14 days issue a written decision affirming, modifying, remanding, or reversing the decision under appeal. For appeals from a Hearing Panel decision, the Appeals Panel shall make its decision based exclusively on the written or recorded record and statements received at the Hearing Panel hearing. The Appeals Panel decision must be in writing and contain the grounds for the decision. The Appeals Panel may affirm, modify, or reverse the decision of the Hearing Panel, or remand for further proceedings. The decision shall be delivered to the parties to the proceeding, the Chief Executive Officer, and the President. The decision of the Appeals Panel shall be final on its terms

- G. Standard of Review. An appeal of a decision of a Hearing Panel will be based solely upon an allegation that such panel acted erroneously and must include the allegation that the Hearing Panel incorrectly interpreted or applied the applicable U.S. Sailing Bylaws, Regulations, or rules, or erred in the analysis of such bylaws or rules as applied to the facts found. The standard of review to be applied by the Appeals Panel shall be whether the Hearing Panel (1) committed clear error, (2) acted in an arbitrary or capricious manner in its ruling, or (3) issued a ruling not supported by substantial evidence.
- H. If an appeal arises from a controversy involving the recognition of the Association as a national governing body, or involving the opportunity of any amateur athlete, coach, trainer, manager, administrator or official to participate in amateur athletic competition, as provided in the Constitution or Bylaws of the USOPC, the aggrieved party may request arbitration in accordance with 15.05.H.
- I. If arbitration is requested in accordance with 15.05.G, the appeal shall be submitted to binding arbitration conducted in accordance with the commercial rules of the American Arbitration Association. Such arbitration shall be conducted at the office of the American Arbitration Association nearest to the head office of this Association unless the parties otherwise agree.

### 15.06 TIME, NOTICES, COSTS

- A. For good cause shown, the Review Board Chair may shorten the time for submissions, responses, hearings, and decisions under this Article.
- B. Any statement, decision, or notice herein required to be made or delivered shall be in writing and shall be delivered by electronic mail to the specified person or organization at the address in the records of the Association. Upon written request of the member, the Association shall deliver such statement, decision, or notice by first class mail. Delivery may be proved by written admission or by certified mail return receipt.
- C. The Review Board may, subject to any contrary or prior agreement by the parties and in the light of all the circumstances and the outcome of the Hearing Panel or arbitration decision, order a party to pay the whole or part of reasonable expenses incurred by the Association or the other party in presenting its case, including costs incurred for legal representatives and witnesses. Any costs of an arbitration proceeding shall be borne by the party against whom the decision is rendered except as otherwise agreed by the parties or ordered by the arbitrator.
- D. All transcripts of proceedings shall be made available to each interested party upon request and payment of costs associated with providing the transcript.

### 15.07 DISCIPLINARY ACTION NOTICES

All disciplinary decisions made under this Regulation 15 shall be made available on the US Sailing website.

### 15.08 ATHLETE OMBUDS



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The USOPC Office of the Athlete Ombuds and its staff (the Athlete Ombuds) offers independent, confidential advice to athletes regarding their rights and responsibilities in the Olympic and Paralympic Movement, and assists athletes with a broad range of questions, disputes, complaints, and concerns. The Athlete Ombuds' focus is to serve athletes who represent the U.S. in international competition. The Athlete Ombuds operates on the core principles of confidentiality and privacy, independence, and impartiality.

Additional information about, and contact information for, the Athlete Ombuds can be found online at <https://www.teamusa.org/athlete-ombuds>.

### 15.09 EXCEPTIONS

- A. The responsibility for the investigation and determination of whether a staff member, other than the Chief Executive Officer, has committed a breach of Regulations 13.04, 13.05, or 14 when acting as an employee of US Sailing shall be the responsibility of the Chief Executive Officer, and regulations 15.02 through 15.06 do not apply.

## 16 AWARDS

### 16.01 AWARDS & RECOGNITION

US Sailing awards are listed below with the body that manages the selection of the award recipients. New awards and trophies will be accepted, with approval of the Board, provided sufficient donor funds are set aside for maintenance, shipping and insurance.

#### Board of Directors and President

1. Herreshoff Award – US Sailing's most prestigious award, presented annually to the individual who has made an outstanding contribution to the sport of sailing in this country in an associated activity.
2. US Sailing Yachtsman and Yachtswoman of the Year Award - Recognizes outstanding on-the-water achievement within the calendar year.
3. President's Award - to those who have contributed above and beyond to the support and advancement of US Sailing and the sport of sailing. This special award may be presented at the discretion of the President as often as is merited.

#### Community Sailing

4. Creative Innovation in Sailing Programming Award - to an individual or program that has made notable contributions to promote public access sailing in the development of new and different forms of teaching sailing.
5. Excellence in Instruction Award - to an individual that has made notable contributions to promote public access sailing by instructing sailing at a program.
6. Marty Luray Award – to an individual or organization for a notable contribution to promote public access sailing on a national level.
7. More than 10 Years of Hallmark Performance Award - to a program that has made notable contributions to promote public access sailing for ten years or more; Community Sailing Committee
8. Outstanding Contributions to the Development of Community Sailing Award - to an individual that has made notable contributions to promote public access sailing in the development and organization of a program, facility, or in the development of curriculum and safety plans for a program.
9. Outstanding Director of a New Program Award - to an individual that has made notable contributions to promote public access sailing in the development of a new program.



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10. Outstanding Director of a Seasonal Program Award - to an individual that has made notable contributions to promote public access sailing in the development and organization of a seasonal program.
11. Outstanding Director of a Year-Round Program Award - to an individual that has made notable contributions to promote public access sailing in the development and organization of a year-round program.
12. Outstanding Leadership Award - to an individual that has made notable contributions to promote public access sailing by leading the development and organization of a program.
13. Outstanding New Program Award - to a program that has made notable contributions to promote public access sailing in its first year.
14. Outstanding Organizational Support Award - to an individual that has made notable contributions to promote public access sailing in the development and organization of a program.
15. Outstanding Outreach and Inclusion Award - to a Program Director or Program that has made notable contributions to promote public access sailing by finding and including people in their program that would normally have no access to sailing.
16. Outstanding Program for Disabled Sailors Award - to a program that has made notable contributions to promote public access sailing for people with disabilities; Community Sailing Committee
17. Outstanding Seasonal Program Award - to a program that has made notable contributions to promote public access sailing.
18. Outstanding Year-Round Program Award - to a program that has made notable contributions to promote public access sailing.

### Education Committee

19. Captain Joe Prosser Award For Excellence in Sailing Instruction – to an organization which has made an exemplary contribution toward improving the quality and safety in the training or instruction of sailors.
20. The Sail Training Service and Support Award in Honor of Virginia Long - honors individuals who, through their efforts, unselfishly assist and enable a sailing program or sailing instruction in a supportive role.
21. Timothea Larr Award – to a person who through leadership and long dedication has made an outstanding contribution toward the encouragement, standardization and advancement of sailor education, training, and safety in the United States.

### Para Sailing Committee

22. Gay S. Lynn Memorial Trophy for Outstanding Service to Disabled Sailing and Sailors - recognizes outstanding service, over a significant period of time to disabled sailing and disabled sailors in the United States.

### One Design Class Association Committee

23. One-Design Club - recognizes administrative excellence, fleet growth, creative programming, regatta support, member contribution -- at regional, national and international levels -- of the one-design yacht club of the year.
24. One-Design Creativity - recognizes outstanding individual creativity and contribution to the year's most innovative one design event of national or international significance.
25. One-Design Leadership – recognizes individual initiative, enthusiasm, organizing ability and leadership in creating the outstanding fleet building program.



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26. One-Design Regatta - recognizes excellence in development, promotion, and management by organizers and sponsors of the year's outstanding MULTI-CLASS REGIONAL regatta.
27. The John F. Gardiner Jr. Trophy for One-Design Service - recognizes distinguished service and leadership in the promotion of one-design sailing and class organization.

### Race Administration Committee

28. Harman Hawkins Trophy - to an individual who has made outstanding contributions to the sport of sailing in the field of Race Administration.

### Race Management Committee

29. St. Petersburg Yacht Club Trophy – recognizes excellence in race management and is awarded to the club which ran the best regatta during the year.

### Safety at Sea Committee

30. The Arthur B. Hanson Rescue Medal - to skippers of pleasure boats or race support vessels who effect rescues of victims from U.S. waters or those which occur in races originating or terminating in a U.S. port. The award recognizes significant accomplishment in seamanship which has saved a life.

### Sportsmanship Committee

31. National Sportsmanship Award (W. Van Alan Clark, Jr. Trophy) – Recognizes outstanding sportsmanship.

### Team 7

32. C.R.E.W. Award – to the volunteer or staff member who consistently demonstrates the values expressed in the CREW agreement: commitment to exceptional service, respect for each other, expectations of excellence, and working together well.