



# US Sailing REGULATIONS Amended 3-November-2012

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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 (7), 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
ED	(US Sailing) Executive Director
GAAP	Generally accepted accounting principles in the United States as established by the Financial Accounting Standards Board.
IFDS	International Association for Disabled Sailing
ISAF	International Sailing Federation
LSO	Local Sailing Organization
MNA	Member National Authority (of ISAF)



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NGB	National Governing Body of a U.S. Olympic Committee sport
NGC	Nominating and Governance Committee
Office	A designation for a group of committees within a division served by common staff support.
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	An individual meeting the definition of Athlete as developed by the Sailor Athlete Council and approved by the Board.
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
USOC	United States Olympic 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:

- A. for all US citizens who compete in US Sailing championships at the semi-final level and higher.
- B. for athletes selected by US Sailing for international events or competing at US Sailing organized events.
- C. for an organization to participate in the US Sailing insurance program.
- D. for an organization offering US Sailing Keelboat Certifications, whether commercial or not-for-profit.
- E. for 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, for volunteers serving on US Sailing committees, and for US Sailing certified officials.

### 2.03 INTERNATIONAL PARTICIPANTS

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 ISAF 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



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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. To ensure representation of athletes within US Sailing, three levels of sailor athletes are defined: Levels Olympic-Paralympic (OP), Elite (E), and Competitive (C). The definition of a Sailor Athlete shall be established in accordance with Part IV of the US Sailing Bylaws and compatible with the requirements for defining "athlete representatives" contained in Article 17.7 of the USOC Bylaws. The definition shall be posted prominently on the US Sailing website.
- 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 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 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 selecting boats, schedules, vendors, and venues and deciding how the event should be run and publicized. The individual championship committees are:



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### Adult Championships

U.S. Championship of Champions Committee  
International Women's Keelboat Championship Committee  
U.S. Disabled Sailing Championship Committee  
U.S. Match Racing Championship Committee  
U.S. Men's and Women's Sailing Championships Committee  
U.S. Multihull Championship Committee  
U.S. Offshore Championship Committee  
U.S. Singlehanded Championship Committee  
U.S. Team Racing Championship Committee  
U.S. Women's Match Racing Championship Committee

### Junior / Youth Championships

U.S. Junior Championships Committee  
U.S. Junior Women's Championships Committee  
U.S. Youth 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.
- E. Training 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.
- B. Kite Boarding Committee – Promote 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;



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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 Offshore/Big Boat 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 – promote one-design class racing in the United States, and to provide a forum for one-design class associations to exchange information and assist one another in solving mutual challenges.

The One Design Class Association Committee will, at a minimum, host a forum for all One Design Class Associations to provide direct communication with US Sailing leadership and to discuss how US Sailing can better support the class associations, and the class associations can better support US Sailing.

The One Design Class Association Forum shall include a representative from each Class Association selected by the Class Association. Every two years, the membership of the One Design Class Forum shall elect a seven person committee, to include a Chair, from their membership, with the approval of the BOD of US SAILING.

The One Design Class Association Committee Chair shall submit quarterly and annual reports to the Division Chair and so to the Board of Directors.

- F. Sailors with Disabilities 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 – promotes windsurfing in the United States. This committee selects its own leadership team.

### 4.05 OFFSHORE / BIG BOAT DIVISION

The Offshore Racing Office shall oversee, coordinate and promote such activities of US Sailing as concern offshore racing and handicapping, rating and measurement systems for inshore and offshore racing and shall support and coordinate the following committees:

- A. Offshore / Big Boat Management Committee -- To Promote the growth of Big Boat racing in the United States, to ensure that all issues about Big Boat and Offshore Racing are being discussed



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within the association and report recommendations for US Sailing strategies and positions to the Board of Directors of US Sailing;

- Coordinate tools and concepts,
  - development of the Universal Measurement Form (UMF), and corresponding universal definitions, with efforts both within the USA and internationally;
  - Development of database tools for certificate and measurement management, including extensions to allow use by sailors over the Internet, and by PHRF Fleets;
  - Ensure that US Sailing continues to have access to a state of the art VPP, as needed to support the Big Boat /Offshore sailing community and improve efficiency for the Offshore/Big Boat Rating Office. US Sailing will work with partners to achieve this objective. US Sailing has been using a VPP from MIT under a non-transferable license.
- provide business advisory to the Offshore Rating Office of US Sailing and the Executive Director of US Sailing as it pertains to the Offshore Rating Office of the association;
- insure that the competitors have continued access to the active rating rules in the US;
- take up all matters relevant to offshore / big boat sailors that are not otherwise handled within another committee of US Sailing.

This committee will have the chairs of each of the US Sailing Rating Rule Committees and a representative selected from the Safety-At-Sea Committee by its Chair regarding the Offshore Sailing Regulations. In addition, the Chair of the committee, in consultation with the President of US Sailing will name at least 5 other members who will balance the geographic aspects of the committee, while continuing to ensure that each of the rating rules is represented proportional to its use by the members and that most of the members are also participating in PHRF racing.

- B. HPR Committee – promotes the HPR and coordinates the distribution of HPR certificates.
- C. IRC Committee - promotes the IRC and coordinates the distribution of IRC certificates.
- D. ORC Committee – promotes the ORC and coordinates the distribution of IMS certificates.
- E. ORR Committee – promotes the ORR and coordinates the distribution of ORR certificates.
- F. North American Portsmouth Committee – publishes and promotes the North American Portsmouth Handicapping system.
- G. PHRF Committee – promotes the PHRF Class, develops guidelines for performance handicapping, coordinates the distribution of PHRF certificates, and decides handicapping appeals.
- H. Safety at Sea Committee –coordinates safety at sea research and safety educational programs; assigns specialist groups to address specific problems in equipment, technique or other aspect of safety at sea; works with the Offshore Safety Committee to include issues of common interest in the seminars and educational programs. Coordinates and submits proposed changes to ISAF Special Regulations annually.

### 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 ISAF for adoption as ISAF Cases.



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- 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 ISAF 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 ISAF International Race Officers.
- E. Racing Rules Committee - drafts and oversees submissions to ISAF, 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.
- 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 ISAF 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 IFDS International Classifiers.

### 4.07 SAILING VENUES DIVISION

- A. Inter-Collegiate Sailing Committee – promote collegiate sailing in the United States and organize the Collegiate Sailing Championships. This Committee selects its own leadership team.
- B. Inter-Scholastic Sailing Committee – promote, coordinate and regulate high school sailing in the United States. This Committee selects its own leadership team.
- C. Community Sailing Committee – To serve as the primary voice for grass roots, outreach and community sailing programs within the infrastructure of US Sailing and its members. To represent the diverse and growing community of new sailors and their families and to promote these individuals through the organization and into the leadership of US Sailing.

To provide a forum for community sailing programs to exchange information and assist one another in solving mutual challenges.

To encourage outreach and share best practices with other sailing venues groups.

This committee membership will strive to represent all aspects of the country and community:

- 7 representatives of community sailing programs, one being from a program that serves over 500 customers yearly and one who serves less than 50. A representative of at least three of the 4 geographical areas, East, West, South and Midwest shall be on this committee.
- Additionally one member must be a member of the national faculty or training committee, one member of the government relations committee or with extensive experience in this area shall be on this committee.
- This Committee selects its own leadership team in cooperation with the President and the Board of Directors.



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- D. Community Sailing Center Certification and Exchange Committee – shall set standards, create evaluation processes, and provide opportunities to permit sailors to participate with community sailing centers in the program across the country.
- E. 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. The members of the Area Coordinators Committee are also members of the RSA Committee.

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.
  - 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.
- F. Area Sailing Coordinators Committee – shall represent US SAILING to those Regional Sailing Associations within their respective Area and will ensure that their interests, and the interests of their Area, are actively represented at the National level and shall also ensure that policies and communications from US Sailing are effectively communicated by the Regional Sailing Associations to their respective constituent organizations and members.

The Area Coordinators Committee Chair shall submit quarterly and yearly reports to the Sailing Venues Division Chair.

Membership shall be a representative from each Area of US Sailing selected by each Area in consultation with the President of US Sailing, the Sailing Venues Division Chair and the Area Coordinators Committee Chair and approved by the BOD. Every two years, the Committee shall elect a Chair, Vice Chair, and Secretary from their membership, with the approval of the BOD.

Specific duties and responsibilities of the Area Coordinator Committee shall include:

- Ensuring that all Regional Sailing Associations have efficient and effective communication both from each constituent sailing organization and member as well as to every member and





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organization. Each Area Coordinator shall have as their primary duty to ensure communications are clear and frequent both to and from each member of US Sailing within their Area

- Facilitating training and certification of new and existing Race Officers, Judges, umpires and US Sailing certified coaches by directly liaising with their Area RSA, the Race administration division and US Sailing members.
- Attend the meetings of the Regional Sailing Associations Committee at the US Sailing Annual General Meeting and at any other in-person or teleconference meetings of that Committee.

### 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. Development Committee - to provide volunteer support and leadership for the fundraising efforts of the association.
- C. 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.
- D. Marketing and Communications Committee - assists the staff in positioning US Sailing and in determining messages and methods of communications, and oversees sponsor development.
- E. Membership Committee – assists the staff in growing the membership of the association, evaluates member benefits and services, and advises the Board on membership categories, dues and benefits.
- F. Web Liaison Committee – facilitates the use of volunteer "web liaisons" of US Sailing committees to develop, maintain, and update [www.ussailing.org](http://www.ussailing.org). The committee membership includes the chair of the Marketing and Communications Committee.

### 4.09 OVERSIGHT COMMITTEES

- A. Audit Committee – See Bylaw 513
- B. Bylaws Committee – See Bylaw 514
- C. Compensation Committee – reviews the compensation of the Executive Director and Managing Director – Olympic Programs and makes recommendations to the Board.
- D. Governance Committee – See Bylaw 517
- D. 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.
- E. Legal Committee – provides guidance to the Board and staff on legal matters and assists the Board in selecting legal counsel.
- F. Nominating Committee – See Bylaw 515.
- G. Protected Event Selection Criteria Review Committee –The committee consists of the Olympic Sailing Committee Chair and two other members of the Board of Directors as determined by the President and with the approval of the Board of Directors. See Regulation 12.03 C.
- H. Review Board – See Bylaw 516. The Committee shall consist of a chair and nine additional members.
- I. Sailor Athlete Council – See Bylaw 401, 402 and 403.
- J. Olympic Sailing Committee – supports the US Sailing Olympic Staff as it develops and selects athletes for the:
  - World University Games,



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- ISAF Youth World Championships,
- Youth Olympic Games,
- Pan Am Games,
- Paralympic Games, and t
- Olympic Games, for the current quadrennia.

### 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.
- 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, 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 Training 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. ISAF 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 (ISAF). Nominees from the US selected by ISAF will comprise the ISAF Delegation. When the President of US Sailing is a member of the ISAF 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



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shall not serve more than three consecutive four-year terms unless an exception is approved by the Board.

- C. IFDS 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 Association for Disabled Sailing (IFDS). Nominees from the US selected by the IFDS will comprise the IFDS Delegation. When the President of US Sailing is a member of the IFDS Delegation, the President shall act as chair of the Delegation. Otherwise, the President shall appoint one of the Delegates to act as the Chair.
- D. USOC – The President shall appoint a delegate to the U.S. Olympic 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.
- F. USWA – The President shall appoint a delegate to the U.S. Windsurfing Association, as allowed by that organization, subject to Board approval.
- G. The Sailor Athlete Council shall, on a quadrennial basis, oversee an election of one or more delegates to the U.S. Olympic Committee (USOC) Athletes' Advisory Council. The election shall be in accordance with Article XII of the USOC Bylaws. The SAC shall report the results of this election to the Board (or its designate), which shall confirm the results and communicate them to the USOC.

### 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 Committee Chair who may forward them to the Review Board, if necessary.

## 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 Disabled Sailing Team, US Youth World Team, and US Powerboating, is controlled by US Sailing.
- B. 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



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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.

- C. 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.
- D. Use of the logo by organizations engaged in sailing instruction shall be subject to the written approval of the Training Director without regard to their qualifications as a corporate sponsor.
- E. Questions arising under this policy which cannot be resolved by the respective directors as provided above will be referred to the Executive Director.
- F. 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.

## 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 Executive Director 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 Executive Director 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 Executive Director 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.



## US Sailing Regulations

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- 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 Executive Director 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 Executive Director is responsible for establishing or approving pricing of US Sailing products, subject to policies determined by the Board.
- 8.06 EXPENSE REIMBURSEMENT**  
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 Executive Director'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 Executive Director. 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 Executive Director.  
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.



## US Sailing Regulations

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- 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 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 DEFERRED REVENUE

A portion of the deferred revenue account may be utilized as a line-of-credit if US Sailing will benefit from the difference between the interest that would be paid relative to the interest that would have been earned.

### 8.12 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.

### 8.13 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 ED 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 ED 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.

### 8.14 COMPETITOR FUNDING



## US Sailing Regulations

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- 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, ISAF 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

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 US Sailing CHAMPIONSHIPS

##### A. Administration

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 published guidelines approved by the Championship Committee and the Race Administration Committee.
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.

##### B. NON-USA RESIDENT PARTICIPATION



## US Sailing Regulations

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1. 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 aliens may request a waiver. Creating a new requirement of US citizenship for a championship requires approval of the Board.
2. When the Championship is a qualifier for international or any other competition the top finisher(s) qualified to represent the US will qualify. The OSC may make exceptions to this regulation for any trials held under the auspices of the Olympic Sailing Committee.
3. The venues for US Sailing championships shall be located in the U.S. unless an exception is approved by the Board. An RSA, club or LSO outside the United States may host qualifiers for US Sailing championships, provided the host club or LSO is a member of US Sailing.
4. Non-US citizens may serve on juries or as race officials for US Sailing championships.
5. Chairs of individual championship committees may establish special rules for trophies won by foreign participants. Perpetual trophies may not be taken outside of the U.S.

### C. PROHIBITED SUBSTANCES

1. For adult US Sailing championship events, no competitor shall use, either on or off the water: marijuana or any other controlled substance (as defined in 21 U.S. Code 802) the possession of which is unlawful under 21 U.S. Code 841.
2. For Junior and Youth events or for junior or youth competitors in any US Sailing championship, no participant or competitor shall use, either on or off the water: marijuana or any other controlled substance (as defined in 21 U.S. Code 802) the possession of which is unlawful under 21 U.S. Code 841, or alcoholic beverages (distilled spirits, wine and beer, each as defined in chapter 51 of the U.S. Internal Revenue Code and intended for beverage use).
3. An alleged breach of one of these regulations shall not be grounds for a protest. However, when the protest committee believes that a competitor may have breached one of these regulations, it shall follow the process described in racing rule 69.1, and a competitor found to have breached one of these regulations shall be excluded from the remaining races of the series and, where practicable, removed from the regatta venue and sent home. The competitor's boat shall be disqualified from all races of the series.
4. Either Regulation 10.01.C.1 or 10.01.C.2, as appropriate, and Regulation 10.01.C.3 shall be included in the Notice of Race and the Sailing Instructions for every US Sailing championship.

### D. USE OF PERSONAL FLOTATION

Competitors in US Sailing championships or qualifiers for US Sailing championships shall wear a U.S. Coast Guard (USCG) approved personal floatation device (PFD) while on the water, other than for brief periods while adding or removing clothing. Where the ISAF 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.

### E. PERPETUAL CHAMPIONSHIP TROPHIES

1. Perpetual trophies for US Sailing Championships shall be on permanent display in a place approved by the relevant sponsoring committee and the Championship Committee. This may include display at the club of a winner, with the prior approval of those two committees.
2. The perpetual trophy for a US Sailing Championship shall be on display at the venue for that event while it is being held. US Sailing shall arrange for the transport of perpetual trophies to and from the such venue (including appropriate insurance).
3. 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.





## US Sailing Regulations

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### 10.02 POWER LINE HAZARDS

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

## 11 RACE ADMINISTRATION

### 11.01 RACING RULE PROPOSALS TO ISAF

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 ISAF by the annual deadline determined by ISAF.

### 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 15th 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 15th. 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 15th, 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 15th, 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 ISAF CASES and posted on the 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 ISAF for adoption as ISAF Cases.

### 11.04 ISAF 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 ISAF 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 Board shall decide which committee shall select athletes to represent the United States at international sailing events, and which body shall approve the selection process. However, the Olympic Sailing Committee shall select the competitors for the following teams:

1. The US Sailing TEAM
2. The US DISABLED SAILING TEAM
3. The US YOUTH WORLD TEAM
4. The U.S. WORLD UNIVERSITY GAMES SAILING TEAM



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5. The U.S. YOUTH OLYMPIC TEAM - SAILING
6. The U.S. PAN AM GAMES TEAM - SAILING
7. The U.S. PARALYMPIC TEAM - SAILING
8. The U.S. OLYMPIC TEAM - SAILING

### 12.02 ANTI-DOPING

- A. Each athlete member of US Sailing shall comply with the anti-doping rules of ISAF, USOC, and USADA.
- B. Sailor Athletes are subject to doping control testing by the 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 Committee as an actively campaigning sailor in any of the Olympic Class Boats shall be subject to In-Competition Testing at 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 Pan American Games, shall also be subject to In-Competition Testing at those events.
- C. In accordance with USOC and ISAF requirements, US Sailing shall adhere to their anti-doping rules.
- D. In compliance with the USOC Bylaws, US Sailing agrees that the United States Anti-Doping Agency (USADA) is the designated independent anti-doping organization selected to conduct drug testing and to adjudicate any related doping offenses, on a domestic basis.
- E. On an international basis the World Anti-Doping Agency (WADA), in conjunction with ISAF, has responsibility for doping control testing and adjudication, in cooperation with US Sailing and the USADA.

### 12.03 PROTECTED COMPETITIONS

- A. **Definition.** For the purposes of this Regulation, a Protected Competition (ref. USOC Bylaw 1.3(u)(2)), is a competition held in the United States without an International Jury that US Sailing uses to select U.S. sailors to represent the United States in international competitions, qualify U.S. sailors to be a member of the US Sailing Team, or determine sailors who will receive funding from or through US Sailing. Specifically, an event that:
  - Selects U.S. sailors for the Olympics, Paralympics or Pan Am Games;
  - Selects U.S. sailors for the Youth Olympics;
  - Selects U.S. sailors for the ISAF World Championships for Youth, Team Racing and Match Racing (Women and Open), Offshore Sailing, or the Nations Cup;
  - Selects sailors for the US Sailing Team; or
  - Determines funding given or directed by US Sailing.
- B. **Procedures for Protected Competitions.** US Sailing shall ensure that the Organizing Authority includes the following rules and procedures in the Notice of Race and the Sailing Instructions for a Protected Competition:
  - The US Sailing Prescriptions to rules 60, 63.2, and 63.4 shall apply to a Protected Competition, except that the words "when practicable" in the first sentence of the prescription to rule 63.4 are deleted.
  - Protest committees shall include 20% "sailor-athlete" representation. "Sailor-athlete" has the meaning of "athlete" set forth in USOC Bylaw, Section 8.8.2 (the 10-year rule) or Level A or B Sailor-Athlete as defined by US Sailing Sailor Athlete Council (SAC) Bylaws 3.3.1 and 3.3.2 (except that the US Sailing member class referred to in SAC Bylaw 3.3.2.3 shall be an international class recognized by ISAF at the time of the sailor-athlete's qualification).



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- The right of appeal will not be denied under rule 70.5 (a), (b), or (c), but an expedited appeal process may 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.
  - 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 hear and speak to each other.
- C Entry in Protected Competitions.** To insure that entry or selection requirements for a Protected Competition are equitable for all potential entrants, the organizing authority shall submit the entry or selection requirements for their Notice of Race to US Sailing for review using the following procedure:
- The President shall appoint a committee, approved by the Board of Directors, made up of the Chair of the Olympic Division and two other Directors to review the entry or selection requirements.
  - The committee shall review the entry or selection requirements and either approve them or suggest changes. If the organizing authority accepts the changes, the modified entry or selection requirements are approved.
  - If the organizing authority does not accept the changes, they may appeal to the entire Board of Directors.

### 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 ABUSE AND HARASSMENT POLICY

- A. It is the policy of US Sailing that there shall be no sexual abuse or sexual harassment of any participant (athlete, member, volunteer, or other vulnerable person) involved in any of its sanctioned programs or events by an employee, member, volunteer, or independent contractor of US Sailing.
- B. Sexual abuse of a participant occurs when another person (a US Sailing employee, member, volunteer, or independent contractor) touches or makes sexual advances that are unwelcome and/or offensive to a participant for the purpose of causing the sexual arousal or gratification of either the participant or the other person. Sexual abuse of a participant also occurs when a participant touches an employee, member, volunteer or independent contractor for the sexual arousal or sexual gratification of either the participant or the other person, if the touching occurs at the request or with the consent of the other person.
- C. Sexual harassment is sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature, and that either:



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1. is unwelcome, is offensive, or creates a hostile environment and the other person (alleged perpetrator) knows or is told this, or
  2. is sufficiently severe or intense to be abusive to a reasonable person in the context.
- D. Sexual abuse and/or harassment can consist of a single intense or severe act or multiple persistent or pervasive acts.
- E. Consent of the participant to the sexual contact, mistakes as to the participant's age, or the fact that the sexual contact did not take place at the US Sailing function are not defenses to a complaint of sexual abuse.

### 13.05 PHYSICAL ABUSE POLICY

- A. It is the policy of US Sailing that there shall be no physical abuse of any participant involved in any of its sanctioned programs, by any US Sailing employee, member, volunteer or independent contractor. Physical abuse means physical contact with a participant that intentionally causes the participant to sustain bodily harm or personal injury. Physical abuse also includes physical contact with a participant that intentionally creates a threat of immediate bodily harm or personal injury.
- B. Physical abuse does not include physical contact that is reasonably designed to coach, teach, or demonstrate a sailing skill. Permitted physical contact may include, but is not necessarily limited to, communicating with or directing participants, during the course of a race or practice, by touching them in a non-threatening, non-sexual manner.

## 14 CODE OF ETHICS

### 14.01 SCOPE

The US Sailing Code of Ethics (Code) applies to volunteers, employees, and representatives of member organizations when acting on behalf of US Sailing.

### 14.02 GENERAL

- A. When acting on behalf of US Sailing, 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. Any such individual shall refrain from participating on any issue in which he or she has a personal or pecuniary interest not common to other members of US Sailing, and shall disclose such interest before the issue is debated.
- B. As fiduciaries, directors 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.

### 14.03 CORPORATE AND OTHER OFFICIALS

Any individual employed by US Sailing or serving on the Board or committee of US Sailing, or otherwise serving in any capacity carrying with it the authority or ability to make or influence decisions affecting the business of US Sailing, shall comply with the following:

- A. shall use a reasonable standard of care when acting on behalf of US Sailing;
- B. when conflicts arise, 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 significant favors, gifts 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;



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- E. shall refrain from voting on any issue in which he or she has a personal or financial interest not common to other members of US Sailing 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.

### 14.04 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.

### 14.05 US Sailing ETHICS COMPLIANCE OFFICER

The Chair of the Governance Committee shall serve as the US Sailing Ethics Compliance Officer (ECO) and shall coordinate the activities of the Governance Committee with those of other entities within US Sailing in obtaining compliance with this Regulation 14.

### 14.06 ACKNOWLEDGEMENT AND DISCLOSURE

- A. Board members, committee members selected by the Board, and staff members selected by the ED, shall acknowledge in writing that they have read and accepted the conditions of this Regulation 14. In addition, the nature and extent of any potential conflict of interest in a business relationship or in outside activities shall be fully disclosed and reported as follows:
  - 1. Staff – to the Executive Director or ECO.
  - 2. Volunteers - to the chair of the committee involved or ECO.
  - 3. ED, Board member, or committee chair – to the ECO.
- B. Disclosing a potential conflict does not imply a conflict of interest or impropriety. However, individuals in a position of conflict are precluded from participating in any further consideration of or action related in the matter.

### 14.07 COMPLIANCE

- A. Each employee, volunteer, and member organization has the obligation not only to abide by the Code of Ethics, but also to report violations of the Code when they become aware of them. Any retaliation or threat of retaliation against anyone who in good faith reports a suspected violation shall constitute a violation of the code.
- B. Employees, volunteers, or member organizations that violate or condone the violation of the Code of Ethics are subject to disciplinary measures including but not limited to expulsion from the Board or any committee, downgrading or revocation of certification or termination of employment.
- C. Investigations of allegations of misconduct under Regulation 14 will be conducted in accordance with the procedures provided in Regulation 15, see Regulation 15.07.

### 14.08 GUIDANCE AND REPORTS OF VIOLATIONS

Questions or guidance regarding the applicability of this policy to specific situations, or reports of alleged violations, will be kept confidential to the extent possible, consistent with the need to conduct an adequate



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investigation. Questions or reports may be made by telephone directly with the ECO (Chair of the NGC), or in writing to:

Ethics Compliance Officer  
US Sailing  
P.O. Box 1260  
Portsmouth, RI 02871  
[EthicsComplianceOfficer@US Sailing.org](mailto:EthicsComplianceOfficer@US Sailing.org)

### 15 ADMINISTRATIVE, DISCIPLINE, AND GRIEVANCE PROCEEDINGS

#### 15.01 AUTHORITY

- A. This Regulation 15 constitutes the “Code of Regulations” of the US Sailing Review Board described in Bylaw 526, which 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 USOC Constitution.
  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.
  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 misconduct that is injurious to the name of the Association or prejudicial to the welfare and reputation of the Association
- 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.

#### 15.02 FILING REQUIREMENTS

- A. A person or organization shall deliver the complaint or report to the Executive Director of the Association, who shall promptly refer it to the Review Board. The person or organization filing the complaint or report 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. A complaint filed under Section 15.01.A.1 of this regulation shall:
1. be filed within sixty days of the occurrence of the alleged deficiency or within 15 days of exhausting all remedies, whichever is later,
  2. describe efforts made to exhaust available remedies, and
  3. state specifically those requirements of the Sports Act or USOC Constitution in which the Association is alleged to be deficient.
- C. A grievance filed under Section 15.01.A.2 of this Article shall:
1. be filed within sixty days of the occurrence of the incident on which such alleged grievance is based, except for good cause shown,
  2. consist of a written statement not longer than seven pages or 5000 words,



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3. identify the person or organization responsible for the alleged grievance, including contact information,
  4. specify the nature of the grievance, including a specific description of the rights alleged to have been denied that are conveyed under the Association Bylaws or Regulations,; and
  5. include a description of the relief sought.
- D. A complaint or report filed under Section 15.01.A.3 of this regulation, or a report received under Racing Rule 69.2, shall be referred directly to the Review Board.
- E. The Review Board shall promptly investigate any complaint, grievance, or report of misconduct. Within sixty (60) days of its receipt of the filing and supporting documentation, the Review Board shall determine whether the filing complies with the requirements for filing under these regulations and whether reasonable grounds exist to proceed with the complaint, grievance, or report of misconduct. Reasonable grounds to proceed shall be found to exist unless:
- i. the person or organization filing the complaint or report has not exhausted all remedies as prescribed in Section 15.02.A;
  - ii. the filing is frivolous on its face;
  - iii. the filing should more properly be addressed by a different organization or governing body; or
  - iv. that prior proceedings regarding the complaint, grievance, or report of misconduct have adequately addressed the matter.

After making its determination, the Review Board shall promptly render a written decision indicating whether or not the filing complies with these regulations and whether or not reasonable grounds exist to proceed. If the Review Board determines that the filing complies with these regulations and that there are reasonable grounds to proceed then it shall:

- a) arrange for mediation in accordance with Section 15.03B, or
  - b) conduct a hearing as prescribed in Section 15.03.
- F. When the Review Board decides to proceed with a hearing involving a Disciplinary Proceeding (Section 15.01.C), it shall, within 15 days, deliver a Statement of Charges specifically describing the alleged misconduct to the party or parties involved,
- G. The provisions of Section 15.02 notwithstanding, the 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.

### 15.03 HEARING PROCEDURE AND DECISION

- A. When the Review Board decides to conduct a hearing, it shall appoint a Hearing Panel of at least three persons. The chair of the Hearing Panel and at least one additional member shall be members of the Review Board. The Board may appoint one or more persons to act as representatives of the Association during the hearing.
- B. For complaints or grievances filed in accordance with 15.02.B or 15.02.C, the Review Board shall, after consultation with the parties, initially appoint a mediator. The mediator shall 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 may extend this time if further mediation may resolve the matter.
- C. The hearing shall be held as soon a possible. The Hearing Panel shall promptly set a place, date, and time for a hearing that is reasonably convenient for all parties. For Disciplinary Proceedings described in Section 15.01.A.3, the hearing shall be held no later than thirty days from the date the party receives the Statement of Charges. The hearing time limit may be extended by the Hearing Panel with the approval of the Review Board, in its judgment.
- D. Each party may be represented by counsel or by any other authorized representative at their expense.



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- E. At the discretion of the Review Board, the hearing may be conducted by video conference or telephone conference call.
- F. During the hearing, all parties shall be entitled to call witnesses, question all witnesses, produce evidence, and submit memoranda supporting their positions. Witnesses may be required to give their testimony under oath as determined by the Hearing Panel.
- G. No later than thirty 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, and any directives or penalties imposed. Facts found by the Hearing Panel shall be final and not subject to any reconsideration, review, or appeal.
- H. The decision of the Hearing Panel shall be binding on all parties unless appealed to the full Review Board in accordance with Section 15.04 of this regulation.

### 15.04 APPEALS

- A. A party to a hearing may appeal the Hearing Panel's decision or its procedures, but not the facts found, to the full Review Board.
- B. A person or organization filing a complaint or report may appeal the Review Board's decision made under Section 15.02.E.1, or its procedures, to the Board.
- C. No later than thirty days after the receipt of the decision, the aggrieved party shall file with the Executive Director a written appeal not longer than seven pages and 5000 words, containing the grounds for said appeal.
- D. Other parties involved may file written comments on the appeal with the Executive Director no later than twenty days after delivery of the notice of appeal, with copies to the Review Board or Hearing Panel and all other parties involved.
- E. For appeals filed in accordance with Section 15.04.A, a majority of the Review Board members shall take part, none of which were members of the Hearing Panel. The Review Board shall make its decision based exclusively on the written or recorded record and statements received without oral hearing. The decision shall be in writing and contain the grounds for the decision. The Review Board may affirm, amend or reverse the decision of the Hearing Panel, or remand for further proceedings.
- F. For decisions on appeals filed under Section 15.04.B, the Board shall make its decision based exclusively on the original written filing and statements received. The decision shall be in writing and contain the grounds for the decision. The Board may affirm or reverse the decision of the Review Board.
- G. 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 United States Olympic Committee, the aggrieved party may request arbitration in accordance with 15.04.H.
- H. If arbitration is requested in accordance with 15.04.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 shall otherwise agree.

### 15.05 TIME, NOTICES, COSTS

- A. For good cause shown, the Board 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 hand, messenger or certified mail to the specified person or organization at the address in the records of the Association or as otherwise stated in writing by such parties. Delivery may be proved by written admission or by certified mail return receipt.





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- 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. Any transcript of proceedings that are stenographically recorded shall be made available to each interested party upon request and payment of costs associated with providing the transcript.

### 15.06 DISCIPLINARY ACTION notices

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

### 15.07 EXCEPTIONS

- A. For allegations of misconduct under Regulations 13.04, 13.05 or 14, the chair of the Review Board may suspend or otherwise modify the provisions of 15.02, 15.03, 15.05 and 15.06 as appropriate to the investigation.
- B. The responsibility for the investigation and determination of whether a staff member, other than the ED, 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 ED, and regulations 15.02 through 15.06 do not apply.
- C. For an alleged breach of Regulations 6.05 and 14, any hearing panel shall be named by the chair of the Review Board with the approval of the ECO.
- D. For an alleged breach of Regulation 14.04 by an individual holding US Sailing Certification, the chair of the Review Board may refer the matter to the relevant certification committee. If so, the committee shall conduct an investigation and prepare relevant materials. If any penalty is desired (e.g. suspension or decertification), the committee shall present their findings to the Review Board and may request a hearing.

## 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.



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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.
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.

### Committee for Sailors with Disabilities

19. 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 Committee

20. 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.
21. One-Design Creativity - recognizes outstanding individual creativity and contribution to the year's most innovative one design event of national or international significance.
22. One-Design Leadership – recognizes individual initiative, enthusiasm, organizing ability and leadership in creating the outstanding fleet building program.
23. One-Design Regatta - recognizes excellence in development, promotion, and management by organizers and sponsors of the year's outstanding MULTI-CLASS REGIONAL regatta.
24. 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.



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### Race Administration Committee

25. Harman Hawkins Trophy - to an individual who has made outstanding contributions to the sport of sailing in the field of Race Administration (Judging, Race Management, Appeals and Racing Rules).

### Race Management Committee

26. 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

27. 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

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

### Team 7

29. 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.

### Training Committee

30. 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.
31. 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.
32. 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.