



## US Sailing Race Official Personal Attributes Requirements

This document revises the language of the requirements for Race Officers, Judges, Umpires, Measurers, and Classifiers (collectively “Race Officials”) that addresses evaluation process for a Race Official’s “personal attributes” and defines the process for determining whether those requirements are met.

### I. TERMS

**Ethical principles** = Guiding principles that conform to accepted standards of conduct.

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

**Honesty** = Freedom from deceit and untruthfulness; sincerity.

**Integrity** = The quality of being honest and having strong *ethical principles*.

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

**Misconduct** = Unacceptable or improper behavior, or a pattern of such behavior that is inconsistent with honesty and strong *ethical principles*.

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

1. Criminal conviction(s) on Background Checks
2. Listing on a Sex Offender registry.
3. Reference suggesting an instance or pattern inconsistent with *integrity, honesty, fairness, or judicial temperament*, or evidence of inability to maintain confidentiality.
4. Reference suggesting *misconduct*.

### II. Race Official Personal Attributes Requirements

- a. In addition to the required knowledge and skills related to sailboat racing and SafeSport competency, all people certified as Race Officials shall have the highest personal and professional attributes as evidenced by the following:
  - i. Have one or more references addressing any knowledge of items iii-vi, as well as technical skills references as required for the particular certification. US Sailing may request additional references.
  - ii. Have a favorable review according to US Sailing Policy on Background Checks for Race Officials.
  - iii. Have no record indicating lack of *honesty, integrity, and fairness*.
  - iv. Have no record indicating an inability to maintain confidentiality.
  - v. Have no record of *misconduct*.
  - vi. Have demonstrated *judicial temperament*.

- vii. Attestation to not having been denied participation in, and/or not having resigned from, any organization because of unprofessional, improper, or unlawful behavior.

### III. Procedure For Evaluating Personal Attributes

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

2. If the relevant certifying committee becomes aware of any issues relating to the applicant's *integrity* that it feels calls the application into question, the certifying committee shall send the matter to the Ethics Committee for review and individualized assessment under Section IV.

#### IV. Ethics Committee Review

- a. The Ethics Committee shall make an individualized determination on any application referred to it by the Compliance Manager or a certifying committee to determine whether *reportable information* is such that the application shall be denied. When performing an individualized assessment, the Ethics Committee may use the following to guide its assessment:
  - i. Could the applicant's past conduct reasonably be believed to place another person's safety in jeopardy in the present or future?
  - ii. Would the conduct cause competitors or other officials to lack confidence in the *integrity* of the official?
  - iii. Would the conduct cause competitors or other officials to lack confidence in the official's ability to perform the functions of his or her position?
  - iv. Does the conduct indicate a pattern of behavior that suggests the person may not possess the required *integrity* expected from a US Sailing Race Official?
  - v. The time elapsed since the occurrence of the conduct.
  - vi. Did the conduct occur when the applicant was a minor?
  - vii. The bearing, if any, the conduct has on the individual's ability to perform the necessary functions of his or her role or otherwise be a representative of US Sailing.
  - viii. Any information produced by the individual, or produced on behalf of the individual, with respect to the individual's rehabilitation and good conduct.
- b. If called to review an applicant's record for *integrity*, the Ethics Committee shall within 30 days issue a binding decision as to whether the applicant meets acceptable standards of *integrity* to serve as a Race Official.
- c. During the 30-day investigation period, the Ethics Committee shall review the applicant's record and may seek additional references and information from the applicant and any other source. The applicant will be given opportunity to address the substance of the *reportable information* and, if necessary, correct any errors with respect to the *reportable information*.
- d. After review, the Ethics Committee shall issue a decision that is binding on the relevant certifying committee as to whether the application should proceed. Any decision by the Ethics Committee to deny an application may be submitted by the applicant to the US Sailing Review Board.
- e. All decisions of the Ethics Committee shall be in writing and include:
  - i. the committee's findings of fact,
  - ii. the list of sources consulted during its investigation,
  - iii. the committee's decision on the application,

- iv. the reasons for the committee's decision, citing to specific standards contained in Section II of this policy. The decision shall articulate with as much detail as possible why the applicant's record of *integrity* or *misconduct* make him/her unfit to serve as a Race Official.
- v. direction to applicant that the Ethics Committee's decision may be submitted to the Review Board pursuant to US Sailing Regulation 15.1.A.4.
- f. All information concerning the applicant's qualification process shall remain confidential within US Sailing, to the extent of the law.

**V. Ethics Committee Composition**

In addition to the active members of the Ethics Committee, the Chair of the Race Administration Committee shall serve as an Ex Officio committee member whenever the Ethics Committee is called to review a Race Official application.