

# ICSA Eligibility Case Book & Guide

(May 2011)

The following eligibility cases and decisions are intended as a reference and guide for Competitors, Coaches, Advisors, and other Officials. In abbreviated form, they represent interpretations of the ICSA Procedural Rules as issued by the Eligibility Committee from its inception-to the present.

## **History of the Eligibility Committee**

The Eligibility Committee was created at the Winter Meeting of the Association in 1977. Prior to that time, eligibility issues had been resolved by the Executive Vice President (now President), the Procedural Rules Committee, Conference Graduate Officers or Special Committees designated by the Executive Committee (now Board of Directors) to deal with major issues.

## **Purpose and Practices of the Eligibility Committee**

The Eligibility Committee is charged with interpreting those Procedural Rules proposed by the Rules Committee and adopted by the Board of Directors, relating specifically to questions of eligibility to compete.

The practice of the Committee has been to interpret the Procedural Rules (PR) as written. Questions which require clarification, or arise out of circumstances not specifically foreseen in the PR should be forwarded to the Committee Chair. In presenting issues to the Committee, it is important to explain the situation as completely as possible. If the issue involves a student's request for an exception to the rules, documents verifying the facts and signed by school administrators and/or people in professional positions, such as doctors or lawyers, be included. Such documents should be of sufficient detail so the Committee members can make their own determination as to the validity and relevance of the content. Testimonial letters of support are not generally useful to the Committee in its efforts to interpret the written rules. While the Committee does its best to reach prompt decisions, it is prudent, whenever possible, to ask for interpretations well in advance of any potential problem. Failing that, it is helpful for the person requesting a ruling to provide a realistic date by which a decision is needed.

When a decision as been reached, the party bringing the issue, the President of the Association and the Conference Commissioners are notified.

George H. Griswold, Eligibility Chair

On the following pages are summary statements relating to the rules of eligibility, specific references to those rules as presented in the Procedural Rules (PR), and cases, expressed as questions and answers and ordered chronologically, that have been brought under those rules.

**Eligibility of compete in ICSA events is determined by the following:**

Procedural Rules governing Eligibility for Colleges and Universities  
Procedural Rules governing Eligibility for Students  
Administrative Policies governing Eligibility for Students, Colleges, and Universities

**Procedural Rule 11(a), (b), (c) and (d), governs the eligibility of colleges and universities**

Conference officers and the Board of Directors of the Association have traditionally dealt with the primary issues related to the eligibility of colleges and universities. Such issues have not generally been reported to the Eligibility Committee and have been resolved on an individual basis within each Conference.

The most common issues have involved the failure by a college to pay dues and/or fees {PR 11(c)}. Other issues have involved the requirement for a college to be in good standing within its Conference, as determined by the Conference {PR 11(a)}.

**Case PR 11(a) - 1 (2008)** Entering a team and competing for a school when not enrolled.

*Question:* Is an individual not enrolled in any school eligible to enter a team of a Conference and compete for that school in a regatta?

*Answer:* No. PR 11(a) states “To be eligible to compete, a college shall be a Member, in good standing, of a Conference Association and meet any special conditions adopted by the sanctioning or sponsoring Association, unless otherwise permitted by the President of ICSA.” Thus, Conferences sanction regattas and which teams can participate in them. Further, individuals are not permitted to represent colleges in which they are not enrolled - {PR 12(a)}”.

On occasion, a Conference has invited a non-member college or university to participate in an ICSA event, subject to the requirements of PR 11(d). No issues arising from such participation have been referred to the Eligibility Committee.

The "Four-Semester" Rule {PR 11(b)} was adopted by the Board of Directors in 1990 and subsequently incorporated into the By-Laws of the Association and the "General Conditions for the North American Intercollegiate Championships". By this rule, any Regular or Provisional Member College which has not competed within the four most recent seasons is reduced to Associate Membership and does not count for allocation of berths for any ICSA North American Championship. Although thus not eligible for Conference or North American Championships, a member so reduced is still eligible to compete in Conference events.

**Procedural Rule 12, parts (a)--(h), governs the eligibility of students.**

PR 12 establishes three basic parameters which determine or limit a student's eligibility:

- The individual must be a full-time student at the college or university.
- The student is limited to eight seasons of eligibility within a five-year period.
- The student shall not have received a bachelor's degree.

**PR 12(a) has two requirements and some very specific exceptions.**

1. "To eligible to represent a college in competition, a student-athlete shall be enrolled in at least a full-time undergraduate program of studies at the college they represent..."

The word "enrolled" means that competitors have completed their school's registration process and are acknowledged as official students by that school. The term "full-time" means that they are taking a full load of classes as defined by their school.

2. "...shall be registered with their Conference ."

This clause requires that each student who wishes to compete must be officially registered with his/her Conference. At the time of such registration, the Conference may refuse the right to compete to any student who does not meet the eligibility criteria. In cases where compliance is not certain or where interpretation of the eligibility provisions is deemed necessary, questions should be referred to the Eligibility Committee for resolution.

**Case PR 12(a) - 1 (1997) Full-time students**

*Question:* Does a student taking a few classes at one university and other classes at a nearby community college qualify as a full-time student at the university, if the combination of classes is sufficient to constitute a full-time load, and is he eligible to compete for the university?

*Answer:* Usually not, unless the student is registered for those additional classes at the community college through the existing cross-registration arrangement or dual enrollment procedure. Such arrangements or procedures ordinarily preclude participation in intercollegiate athletics. Only if the university involved approves intercollegiate athletics participation, as policy for all students is the student eligible to sail.

#### **Case PR 12(a) - 2 (1997) Eligibility during "breaks"**

*Question:* Is a student taking a leave of absence from school during the winter quarter eligible during the "break" period between the winter and spring quarters?

*Answer:* The student is not eligible during the "break" period prescribed.

Students cannot be considered as "full-time" until the first day of classes for any given academic period. However, a student qualifying as "full-time" during any given regular academic period shall remain eligible during the break immediately following that period.

Thus, only entering freshmen, students taking less than a "full-time" load and students taking leaves of absence from a normal full-time academic program lose their eligibility during breaks between academic periods. {Modified by Cases PR 12-3 and PR 12-4, below}

#### **Case PR 12(a) - 3 (1999) Eligibility during "breaks"**

*Question:* Is a competitor eligible during the break between academic periods when a school is on the quarter system and the competitor has been away from school during the Winter quarter?

*Answer:* It was determined that the university involved considered the student to have "full-time" status, and thus, the competitor was eligible during the "break"

#### **Case PR 12(a) - 4 (1999) Eligibility during "breaks" and Practice**

*Question:* Is a competitor at a school using the quarter system eligible between academic periods, and does any rule prohibit an individual from practicing with a team during an off quarter?

*Answer:* The student would be eligible if the school considered his "full-time" status to be maintained.

Students practicing with a team do not have to meet ICSA eligibility requirements, although there may be requirements set by the school. Students do not use seasons

of eligibility unless they participate in an intercollegiate regatta.

**Case PR 12(a) - 5 (2000) Full time students and 2 + 2 agreements**

*Question:* Is a student taking part of her classes at a University and part of her classes at a local Junior College which has a 2 + 2 agreement with the University eligible?

*Answer:* Yes, as long as the University treats the classes taken at the Junior College as if they were taken at the University and not "transferred", because of a 2 + 2 agreement {Reference Case PR 12(a) - 1 (1997)}.

**Case PR 12(a) - 6 (2001) Regular admission required to be eligible**

*Question:* Is a student eligible who had been refused admission to a college, but had enrolled in 12 hours of Continuing Education classes at the college. The normal limit on Continuing Education Classes is 8 hours, but a Dean had permitted this student to take the additional hours.

*Answer:* No. The student while meeting the requirement for the minimum number of hours of classes, had not been admitted to the School, and thus did not meet the full set of requirements to be a full time student at the college and thus is ineligible.

**Case PR 12(a) - 7 (2001) Eligibility while attending a Junior College**

*Question:* Is a student while attending an associated Junior college. It was not clear that there was a written agreement stating that the junior college students would automatically be admitted to the university and is eligible for a university degree.

*Answer:* No. In the absence of a written agreement guaranteeing admission and a degree from the university, while part of the university system the student not eligible because of the need to be accepted by the university and to transfer credits.

**Case PR 12(a) - 8 (2001) Sailing for more than one college in a season.**

*Question:* Can a university recruit students from another college for their sailing team if the two schools were in the process of joining and transportation links had been established as a first step in the process? The intent stated at the end of the process was for college students to get a university degree.

*Answer:* No. University students could recruit the college students and practice with them, as the Procedural Rules do not cover "practice". However, the college

students would not be eligible to sail for university's sailing team until the agreement between the two schools was finalized. Further, at that time, only one sailing team could represent the combined schools.

#### **Case PR 12(a) - 9 (2002) GPA requirement**

*Question:* What are the eligibility requirements for club participants, such as how many credits are required per semester? Is there a GPA requirement?

*Answer:* The eligibility requirements are presented in the ICSA Procedural Rule 12. A copy can be found on the ICSA website [www.collegesailing.org](http://www.collegesailing.org)

The number of credits required per semester is determined as a part of each ICSA Member School's general academic Policy and may vary from school to school. Note the exception granted in Procedural Rule 12(b). Any GPA requirement is also determined by the general academic policy of each Member School.

#### **Case PR 12(a) - 10 (2002) Internships**

*Question:* A student has two remaining seasons of eligibility (Fall 2002 & Spring 2003). The student is taking less than a full load Fall 2002 in order to make time for an internship. Do the hours spent on internships count towards a student's total load?

*Answer:* The hours spent on internships may, or may not count towards a student's total academic load depending on the general academic policy at the student's school. If a school gives academic credit for internships or co-op programs the hours would count towards the student's academic load. If the student's school certifies that a student meets the "full time" criteria for that institution then the student meets that eligibility requirement.

#### **Case PR 12 (a) - 11 (2003) Swimming Requirement**

*Question:* Is it mandatory for students to have a swimming test before they can be registered under PR 12(a) to comply with PR 13 (a)?

*Answer:* PR 12(a) requires that each student be registered with the ICSA before competing. The Administrative representative (Faculty Advisor, Coach, or other college official) certifies that each student registering meets the swimming requirement in PR 13(a). This is the last step in completing the on-line registration for each student. Each member school determines how that certification is documented. A swimming test meeting or exceeding the parameters outlined in PR 13(a) is always acceptable.

**Case PR 12(a) - 12 (2005) Student from a non-member school**

*Question:* Is a student eligible to sail for a college if enrolled in a near-by college which is not a member of a Conference.

*Answer:* No. The students must represent the college at which they are enrolled and be registered with a Conference of the ICSA. {PR 12(a)}

**Case PR 12(a) - 13 (2005) Extension Centers may qualify students as Full-Time**

*Question:* Is a student eligible when transferring to an extension center of a school in a different ICSA District, if the student sailed for 7 consecutive seasons in the ICSA and then took a year off from collegiate sailing?

*Answer:* Yes. In this case the student had one season of eligibility remaining and was still within the five year limitations of PR 12(c)(i). The main issue was did the student meet the full time requirement while attending an extension center of the school. The school in which the student was enrolling confirmed that the student met its requirements for full-time status including the number of credits enrolled and the responsibilities of other main campus students, thus the requirements of PR 12(a)

**Case PR 12(a) - 14 (2006) Eligibility terminates when a student with draws from classes**

*Question:* If a student voluntarily withdraws from classes (but not the school) during the middle of a season was that student ineligible for the entire season, or just that part of the season following the withdrawal from classes.

*Answer:* If a student for whatever reason becomes less than a full-time student during a season, that student becomes ineligible. {PR 12(a)}. The date on which the student ceases to meet their school's full-time requirements is the date when the student becomes ineligible.

Even if the student is a graduating senior using the exception under PR 12(b) the student becomes ineligible if the student does not maintain sufficient status to graduate at the end of the season in which the exception is taken.

The events that the student participated in prior to becoming ineligible must be charged against the student's number of seasons of eligibility. {Cases PR 12(d) 4-7}. A student participating, even unknowingly, while ineligible shall cause a disqualification to be scored for any of those races in which the student participated. {Cases PR 12(d) 9, 10} The scores of the races participated in while eligible should not be adjusted.

**Case PR 12(a) - 15 (2007) Eligibility where an agreement exists with a Community College**

*Question:* Is a student eligible to compete for a University under PR 12(a) if the student is dually enrolled in a University and a local community college. The University has an agreement with the local community college to provide a program where students take the first two years of classes at the community college. Students are initially guaranteed junior status to take classes at the University upon the successful completion of an appropriate number of credits. As a part of the agreement the student pays a fee to the University each semester for access to University programs and privileges, but not for classes. The agreement provides for a determination to be made whether a student can participate in intercollegiate athletics for the University based on the regulations of the National Governing Body for the sport involved.

*Answer:* No. Since the University has decided to determine whether students in this program are eligible on a case by case basis for athletics it does not meet the criteria in Case 12(a) -1 "Only if the university involved approves intercollegiate athletics participation, as policy for all students is the student eligible to sail."

Further, the University's agreement does not require that the student be full-time while attending the community college, only that the student meets the requirement of a total number of credits for junior status before attending the University.

The fact that the student is dually enrolled and pays a fee to the University for access to University programs and privileges during the first two years does not in itself make the student eligible to compete for the University.

**Case PR 12(a) - 16 (2008) Students attending one school cannot sail for another school.**

*Question:* Can a student attending one school of a state-wide system sail for another school in that system?

*Answer:* No. Pr 12(a) states "...all competitors shall be full-time undergraduate students enrolled in the college they represent..." Since each school in the system may become a Member and have its own team, and an individual attending one school is not eligible to sail for the another Member school even though they may be part of a state wide system of colleges or universities. Reference ICSA Eligibility Case Book & Guide - Case PR 12(a)-12 (2005).

**Case 12(a) - 17 (2008) Procedure for an ineligible competitor**

*Question:* What is the procedure to be used when it is discovered that a competitor is ineligible under PR 12(a).

*Answer:* PR 12(a) states “...all competitors shall be full-time undergraduate students enrolled in the college they represent...” Thus an individual who is not enrolled at the school for whom he/she competed is ineligible. If a violation of PR 12(a) is discovered after the competition is complete, the simplest solution is to ask the team with the ineligible competitor to withdraw from all races in which that individual participated and rescore the regatta. If necessary PR 15(d) can be used which states in part “The penalty for use of an ineligible student, as determined by the Eligibility Committee, shall be disqualification and re-scoring of the affected races.

**Case PR 12(a) - 18 (2009) Student-Athletes from a newly formed University.**

A new University is being created. A separate academic institution granting only Associate Degrees is a member of a Conference. The two schools have established a working agreement where Conference member Students can get a 4 year degree from the newly established University. This is a common agreement, but most of the agreements of this type do not include athletic eligibility for the Conference Member students at the newly formed University or the reverse.

*Question:* Are Student-Athletes from newly formed University eligible to sail for Conference member school?

*Answer:* No. PR 12(a) states "To be eligible to represent a college in competition, a student-athlete shall be enrolled in at least a minimum full-time undergraduate program of studies at the college they represent, except as provided in PR 12(b), 12(d), & 14(c)."

The Eligibility Case Book and Guide also indicates that students of the newly formed University are not eligible to sail for a school which is already Conference member:

See Case PR 12(a) - 12 (2005).

The simplest solution is to form a team at the newly formed University.

**Case PR 12(a) - 19 (2009) Eligibility of a non-degree seeking foreign student**

*Question:* Is a non-degree seeking exchange student taking some grad level classes who doesn't have a Bachelors degree but has received another smaller degree in his country eligible. He is only going to be in the States for a year.

*Answer:* No. The purpose of ICSA competition is to provide for students who are in

the process of getting an undergraduate degree. In this case the Student-Athlete is not seeking a Degree. Student-Athletes must be enrolled "full-time" in undergraduate classes that will lead to a Bachelor's degree {PR 12(a)}. Graduate classes are not prohibited, but don't count in constituting a full-time load.

**Case PR 12(a) - 20 (2010)** - Request to waive the Full Time requirement based on an Injury.

**Question:** Should a student-athlete injured in an auto-bike accident near the end of the Season involving a concussion be granted continuing eligibility for the remainder of a Season. Doctors advised the student-athlete to rest and not sail. Instructor's advice was for the student-athlete to drop a major class which would reduce the student-athlete's academic status to less than full time. The Student-Athlete continued to sail in collegiate events following the accident.

**Answer:** No. There is no compelling reason to waive the full-time requirement. See Cases 12(c) 5, 6, 7, 20, & 21

It is not clear whether or not the class was dropped. If the class had been dropped the student-athlete would become ineligible under PR 12(a) [Case 12(a)-14]. Further, it is not clear if the class was dropped when it was dropped. If the student-athlete sailed after the class was dropped then the results of any events should be rescored (PR 15(c)).

If the class was not dropped, or the student-athlete did not sail in any college events following the time when the class was dropped then PR 12(c) was not broken and the student-athlete remains eligible.

If the class was dropped, the student-athlete will become eligible again when a new season begins assuming that a full-time academic load is resumed, and all other eligibility criteria met.

**Procedural Rule 12(b) provides an exception to PR 12(a) for graduating seniors.**

The number of academic credits for a specific program varies at each college or university. Thus, a graduating senior during his/her last academic period who has "banked" credits earlier may not be required to take the number of classes normally required of a full-time student. A one time exception to PR 12(a) is given to such students who may be taking less than a full load of classes, provided they are taking the requisite courses to graduate at the end of that final academic period and provided they meet all other eligibility requirements.

**Case PR 12(b) - 1 (1978)** Graduating senior exception

*Question* {Prior to the adoption of PR 12(b)}: Is a graduating senior who sailed during

the Fall season eligible for the Spring season even though he needed only eight credits to finish his degree and declined to take a full course load because of financial reasons?

*Answer:* No. Procedural Rule 12(b) was subsequently adopted as a result of this case.

**Case PR 12(b) - 2 (1997)** NCAA Rules removed with adoption of a new APPENDIX 3 - COMPETITION AND PRACTICE SEASONS by the Board of Directors May 2007

*Question:* Is the eligibility of a graduating senior taking less than a full load of classes at a school with an academic "break" period during the Spring season affected by NCAA rules and regulations?

*Answer:* The student is eligible under PR 12(b). NCAA rules and regulations do not apply to college sailors unless their college or university specifically complies with them for sailing.

**Case PR 12(b) - 3 (1999)** Graduating senior exception

*Question:* If a full-time student planning to complete a degree during the Fall academic period learns that one of the courses required for graduation will not be offered until the following Spring, will the student be eligible in the Spring while enrolled only in the one three-credit course required for graduation, meeting all other eligibility requirements?

*Answer:* The student would be eligible under the graduating senior exception.

**Case PR 12(b) - 4 (2000)** Graduating senior exception

*Question:* If a student has completed the requirements for his degree at the conclusion of the Fall season, can he use a remaining season of eligibility in the Spring without taking any classes and because the school has not formally conferred his degree?

*Answer:* No. The student does not qualify as "full-time", nor does he satisfy the requirements for the graduating senior exception.

**Case PR 12(b) - 5 (2002)** Graduating senior exception

*Question:* A student has two remaining seasons of eligibility (Fall 2002 & Spring 2003). The student is taking less than a full load Fall 2002 in order to make time for an internship. The student will take a full load Spring 2003 to graduate in May 2003. Can the student exercise the exception in PR 12(b) and be eligible for Fall 2003?

*Answer:* No. PR 12(b) does not apply as the rule clearly states that the exception only applies to the "Final Term, Semester, or Quarter".

**Case PR 12(b) - 6 (2005) Graduating senior exception**

*Question:* If a University offers a combined BS/MS program in which gives students an opportunity to complete a MS degree in approximately one year after completing a BS degree, and students in this program will not receive the Bachelor's degree until the requirements for both the Bachelor's and Master's degrees have been completed is the student eligible until the degrees are awarded?

*Answer:* No. To be eligible a student must meet the minimum requirements as a full-time undergraduate student as defined by the university in which the student is enrolled. {See PR 12(a).} Students taking graduate classes may take advantage of the one time exception granted under PR 12(b) if they are also carrying classes necessary for graduation with a Bachelor's Degree. {See Cases PR 12(b) - 1 & PR 12(b) - 2.} However, once the student has completed the requirements for the Bachelor's degree, the student is no longer eligible even though the Bachelor's degree has not been awarded {See Case PR 12(b) - 4}.

**Case PR 12(b) -7 (2008) Eligibility ends when the requirements for graduation have been met.**

*Question:* Is an individual eligible who graduated and received a Bachelor's degree in May even though 8 seasons of eligibility have not been used and/or the 5 year time limit has not been exceeded.

*Answer:* No. The limits for ICSA Eligibility are: Graduation, 5 years from season of first competition, or 8 seasons of competition. An individual becomes ineligible if any one of these limits is exceeded. Note: PR 12(d) permits eligibility to continue until the end of the season in which Graduation occurs.

**Case PR 12(b) - 8 (2008) Eligibility ends when the requirements for graduation have been met.**

*Question:* An individual will have completed all necessary coursework to graduate by the end of the fall semester, but will graduate in May. In lieu of taking additional classes next semester, however, the individual opts to seek an internship. Is an individual eligible under the provisions of PR 12(b) during the Spring Season.

*Answer:* No. Since the individual has completed the requirements for graduation the exception in PR 12(b) does not apply. See ICSA Eligibility Case Book & Guide Cases PR12(b) - 4 (2000) and PR12(b) - 6(2005) both of which indicate that once a student has completed the requirements for graduation that for eligibility purposes they

have graduated.

**Procedural Rule 12(c) {First Time Entrants} was deleted by the Board of Directors at its January 2003 meeting therefore Cases PR 12(c) -1 and 2 are no longer valid and have been deleted. The remaining sections were then re-numbered.**

### **Procedural Rule 12(c) establishes limits for a student's eligibility**

A student may compete for eight seasons  
Those eight seasons must occur within five consecutive calendar years  
The beginning and end of each season are specified.

A student becomes ineligible if either of the eight season or five-year limit is exceeded.

A season of eligibility is charged against a student as soon as that student participates in one race of a regatta either as skipper or crew.

Students who compete for a non-member team invited to participate in a regatta under PR 12(c) are charged for a season of eligibility.

Students transferring from one college or university to another have their eligibility records transferred with them. The five-year "clock" begins when they first compete at any college or university, and the seasons of eligibility are limited to eight whether at one or more colleges or universities.

No student, including transfers, may compete for more than one college in any season except as permitted for a crew during a regatta by Procedural Rule 14(c), Emergency Situations.

PR 12(c)(iii) addresses special circumstances relating to eligibility for a North American Championship.

### **The Procedural Rules do not limit eligibility by age of a student.**

#### **Case PR 12(c) -1 (1958) No age limit**

*Question:* Is a student in his early thirties, enrolled in a university for the first time under the G.I. Bill, eligible?

*Answer:* Yes. Eligibility is not limited by a student's age.

#### **Case PR 12(c) - 2 (1967) Suspension of the "clock"**

*Question:* A student who competed on a university sailing team was drafted into the U.S. Army. Should an exception be made and his five-year "clock" suspended for the period of military service even though he spent much of his military time sailing?

*Answer:* Yes. The student's "clock" was suspended during the years he served as a draftee.

Note: Because they have not been drafted, students attending federal service academies would not qualify for such exception of the five year limit.

#### **Case PR 12(c) - 3 (1978) The "clock"**

*Question:* What penalty should be applied when a student is discovered to have sailed beyond his limit of five consecutive years?

*Answer:* Re-scoring of all events to reflect disqualification in each race when the student was not eligible.

#### **Case PR 12(c) - 4 (1978) Season of eligibility**

*Question:* Is a student who qualified his team during the Fall, which was his eighth season of eligibility, for the North American Team Racing Championship to be held the following Spring season eligible to sail in the Championship?

*Answer:* The student would not be eligible under PR 12(c)(iii). His eligibility for the Team Racing Championship is determined by his eligibility for the Spring season in which the Championship is held.

#### **Case PR 12(c) - 5 (1990) Season of eligibility; medical circumstances; incomplete information**

*Question:* Should a student leaving school because of a medical problem and providing a physician's letter that was uninformative and vague be granted an extension in the number of seasons of eligibility?

*Answer:* No. It was impossible to determine the validity of the case.

#### **Case PR 12(c) - 6 (1995) Seasons of eligibility; medical circumstances**

*Question:* Should a student be granted an additional season of eligibility because of a hand injury which occurred in a non-collegiate sailing accident early in the season when it was not clear when the student would recover?

*Answer:* No. No compelling reason was found to grant an extension of eligibility.

**Case PR 12(c) - 7 (1998) Seasons of eligibility; medical circumstances**

*Question:* Should a student be granted an additional season of eligibility because he became ill during the season and had to leave school?

*Answer:* No. It was determined that the student had already competed in more than half the season and that his team had already competed in all the events for which it was eligible by the time the student became ill.

**Case PR 12(c) - 8 (1992) Seasons of eligibility; the Goodwill Regatta**

*Question:* Does a student use a season of eligibility when participating in the Goodwill Regatta in Japan?

*Answer:* Participation in the 1991 Goodwill Regatta in Japan was determined not to use a season of eligibility. However, starting in the 1992 Fall season and thereafter, participation in the Goodwill Regatta shall use a season of eligibility whether the event is held in this country or Japan.

**Case PR 12(c) - 9 (1996) Seasons of eligibility; one event; ignorance of rule**

*Question:* Should a student who sailed in one event before transferring to another school, where he sailed for seven seasons, and who was unaware of the eight season limit be granted an extra season of eligibility?

*Answer:* No. Sailing in a single event uses the eligibility for that season, and ignorance of the rule does not provide relief.

The question was resubmitted for reconsideration. The answer was the same.

**Case PR 12(c) - 10 (2000) Extension of Season of Eligibility**

*Question:* Should a student be granted an eligibility extension under the following circumstances: The student sailed for 4 seasons before transferring to another school. The student participated in (determined by observation and written statements from others) a single event November 7, 1998 while attending another school. The Conference properly scheduled the event. At the urging of a number of contestants, the "event" was considered to be a "practice" and no RP forms were reported. However, final scores were distributed to the media. The student then transferred back to the original school and sailed 3 additional seasons.

*Answer:* No. The student has used all eight seasons of eligibility under PR 12(c). The question was resubmitted, citing new evidence. After review of the new evidence, the answer was the same.

**Case PR 12(c) - 11 (2000) No RP form submitted**

*Question:* Is a season of eligibility used when no record of participation forms are submitted?

*Answer:* Yes, if there are other methods by which participation can be verified such as visual observation or written statements from individuals.

**Case PR 12(c) - 12 (2000) Minimum Races required**

*Question:* Is a season of eligibility used when the number of races for a regatta to be "official" as required by PR 24(a) are not sailed and scored.

*Answer:* No. Regattas that do not have enough competition under PR 24(a) to be "official" don't influence an individual's eligibility.

**Case PR 12(c) - 13 (2000) Scheduled regattas are not "practice"**

*Question:* Can a regatta properly scheduled by a Conference be declared as a "practice" by on-site officials or the contestants?

*Answer:* No. The Race Committee and contestants cannot make a properly scheduled regatta into an "unofficial" event or "practice" without the permission of the Conference which under the RRS is the "Organizing Authority".

**Case PR12(c) - 14 (2006) Exchange program eligibility**

*Question:* Is a student eligible to sail for a team at a school granting the student full-time status while attending that school while on an exchange program.

*Answer:* No. Procedural Rule 12(c)(ii) states "Not student shall compete for more than one college in any one season except as specified in PR 14(c)." The purpose of this rule is to make sure that the competition is between teams of students that can clearly identified with the school at which they are enrolled. The Rule implies that a student cannot be eligible to sail for more than one school in a season. When a student participates in an exchange program with another school they normally do not lose their full-time status with their school, and therefore remain eligible to compete for their school. The fact that the exchange school grants them full-time status does not make a student eligible to compete for the exchange school.

**Case PR 12(c) - 15 (2008) Not competing for more than one season**

*Question:* Is a student be eligible to sail in the Spring of '10 if he/she sailed from the Fall of '04 through the Spring of '08 and sailed in the Spring of '09, but did not

sail in the Fall of '08 or '09.

*Answer:* Yes. PR 12(c)(i) gives each competitor 8 seasons of competition within 5 a year period.

**Case PR 12(c) -16 (2008)** The order in which seasons of eligibility are used

*Question:* A student will be entering their 4th year of college, but their major is going to take 5 years to complete. Throughout the entire time the student will continue to have full time status. If the student does not compete in the Fall '08 and has 2 seasons of eligibility remaining. Can these be used in Spring 09', and Spring of 10'?

*Answer:* Yes. PR 12(c)(i) does not specify the order in which the seasons of eligibility are used as long as the maximum of 8 in a period of 5 years is not exceeded.

**Case PR 12(c) - 17 (2008)** Request to extend seasons of eligibility for medical reasons

*Question:* An individual sailed for 2 seasons and transferred to another college. The individual then took a medical leave from college for more than a year and has not sailed during the leave. Can the eligibility limit of 5 years be extended in this case.

*Answer:* No. See Cases PR 12(c) - 5, 6,7, and 10. There is no compelling reason to grant an extension of eligibility.

**Case PR 12(c) - 18 (2008)** Registering does not use a season of eligibility.

*Question:* If an individual registers with a Conference using the ICSA Individual Directory, but does not sail in any college regattas, does that individual use a season of eligibility?

*Answer:* No. PR12(c)(i) uses the word “compete” when establishing the 8 season limit for eligibility. Thus, if an individual did not sail in a college regatta the individual did not “compete” and thus did not use a season of eligibility. It would be wise for the individual to maintain a record of the events and individuals who sailed that college.

**Case PR 12(c) - 19 (2008)** Sailing as a borrowed crew uses a season of eligibility

*Question:* An individual sailed as a borrowed crew in only one event as a Freshman. Does that event count as one of the 8 seasons of eligibility.

*Answer:* Yes. See Case PR 12(c)(i) - 9(1996) “Sailing in a single event uses the

eligibility for that season, and ignorance of the rule does not provide relief.

**Case PR 12(c) - 20 (2008)** Extension of eligibility due to medical problems

*Question:* Can a competitor be granted an extension of eligibility due to medical problems after competing in several events during a Season.

*Answer:* Usually not. Specific cases will be evaluated on a case-by-case basis. The case needs to be supported by written documentation of the medical issue supplied by a doctor. The reason why the problem occurred in the middle of a season needs also to be detailed and supported.

**Case PR 12(c) - 21 (2009)** Request to extend seasons of eligibility for injury when acting as a good Samaritan.

*Question:* Should a student-athlete be granted one additional season of eligibility if run over by a car early in the season (March 16) resulting in a fractured ankle while trying to prevent an accident. The individual competed at one event before the accident, but was unable to compete for the rest of the season.

*Answer:* No. There is no compelling reason to extend a season of eligibility. The injury was the result of an action taken by the student-athlete who acting as a good Samaritan. This is much like the student-athlete in Case PR 12(c) - 7 who got sick part way through a season.

Case PR(12(c) 20 indicates that the answer to most requests for extensions will be no. It is that it is very difficult to determine how early in a season a student-athlete must be unable to participate, or the degree of control the individual has over a situation which results in their not being able to participate. An additional season of eligibility should not be granted on compassion, but on some compelling fact. Sailing is a sport in which there are many variables. Life also has as many variables, and having an incident which prevents participation is also part life and of the sport. Thus, there must be an overwhelming and compelling reason to extend a student-athlete's seasons of eligibility.

**Case PR 12(c) - 22 (2011)** Request to extend seasons of eligibility for injury

*Question:* Should a Student-Athlete's eligibility be extended by one season? He competed in only one event early in the season. In an unrelated incident he fell suffering an ankle injury and a broken fibula while running over a metal grate covering a construction area to get out of the rain.

The Student-Athlete is a senior who has competed in seven consecutive seasons before the season in which the injury took place. He has supplied Doctor's

statements which indicate that he will not be able to recover from his injury for at least ten weeks. He will not be graduating until what would be the spring of the fifth year of eligibility.

*Answer:* No. A review of Cases PR 12(a)-20, PR 12(c)-5, 6, 7, 10, 17, 20 and 21 indicates that each case will be dealt with on a case-by-case basis. The answer to Case PR 12(c)-21 indicates that there needs to be an overwhelming reason to grant an additional season. The injury resulted from an unfortunate accident brought on by the Student-Athlete's own action and thus does not meet the criteria set forth in Case 12(c)-21.

### **Procedural Rule 12(d) limits eligibility to undergraduates.**

However, because academic calendars differ and may not coincide with the ICSA seasons of competition, a student who has graduated but was eligible when the degree was received remains eligible until the end of that season. See, also, PR 12(c)(iii).

It should be noted also that for purposes of special events which sometimes occur after the end of the Spring season, such as the British Team Race Tour, eligibility may be extended beyond the season dates listed in PR 12(c)(i).

### **Case PR 12(d) -1 (2001) Extension of Eligibility beyond Graduation**

*Question:* Should a student be granted an eligibility extension under the following circumstances: The student has been granted an advanced academic standing by a college or university and expects to graduate at the end of three years, but will enroll at the same school to obtain a graduate degree. The NCAA and the school's athletic conference rules will permit a fourth year of eligibility.

*Answer:* No. PR 12(d) is clear and no student may participate in ICSA events after receiving a Bachelor's degree. NCAA and Athletic conference rules do not apply when ICSA rules are more restrictive.

### **Case PR 12(d) - 2 (2003) Extension of Eligibility beyond Graduation**

*Question:* Can a student who has earned a Bachelor's degree, but never sailed in a collegiate regatta, be eligible while taking undergraduate classes at another school in a subsequent semester.

*Answer:* No. PR 12(d) is clear that no student may participate in ICSA events once the season in which a Bachelor's degree was received is concluded.

### Case PR 12(d) -3 (2005) Eligibility for BS/MS Programs

*Question:* Is a student eligible if enrolled in a program {BS/MS} where the Bachelor's degree is not awarded until the Master's degree has been completed.

*Answer:* The student will be eligible only so long as the courses being taken apply to and are clearly identified with the Bachelors degree. The student must meet the criteria for PR 12(a) {Full Time Student Status}. Any courses being applied exclusively to the Masters degree will not apply to the determination of full-time undergraduate status. The student may take advantage PR 12(b) {Exception: Final Term, Semester or Quarter} to take additional graduate level classes. However, once the work for the Bachelors degree has been completed the student will no longer be eligible even though the degree has not been awarded.

### Case 12(d) - 4 (2006) Eligibility continues to the end of the season for seniors who have graduated

*Question:* Is a student who is going graduate after the winter term {March 24th} eligible for the rest of the Spring Season under PR 12(d).

*Answer:* Yes, A student who graduates during a season remains eligible until the end of the season under provisions of PR 12(d).

### Case 12(d) - 5 (2011) Eligibility for BS/MS Programs & When Clock starts

*Question:* If a student is involved in a 6-year program (with co-op and accelerated masters program [they don't receive the bachelor degree until complete graduation though]) and joins the sailing team in their 5th year, are they eligible to sail for their sixth year?

*Answer:* Probably not. It is necessary for a Student-Athlete to meet all of the eligibility requirements to be eligible. Failure to meet even one requirement makes the Student-Athlete ineligible.

Procedural Rule 12(a) states: "To be eligible to represent a college in competition, a student-athlete shall be enrolled in at least a minimum full-time undergraduate program of studies at the college they represent, except as provided in PR 12(b), 12(d), & 14(c)."

If the Bachelor's degree is combined with a Graduate degree, and/or the awarding of the Bachelor's degree is deferred until the program is completed, then eligibility exists only for those seasons in which the Student-Athlete maintains a full-time undergraduate program of classes. {See Cases PR 12(b) - 6 and PR 12(d) - 3.} The test is to determine which the university considers courses required for the program

as undergraduate courses and which are graduate level courses. The determination could result in the individual being ineligible in the fifth year of a six year program, and will probably result in the individual being ineligible if enrolled in the sixth year of a six-year BS/MS program.

The Student-Athlete's clock does not start until the individual competes in an ICSA event for the first time. Thus, if the individual does not compete when first entering college, their clock will not start until their first competition and will run for a period of 5 years after the beginning of that competition.

Also, the Student-Athlete is not eligible to compete for than more than 8 seasons.

**Case PR 12(d) - 6 (2011)** Eligibility after one of two undergraduate degrees is awarded

*Question:* Is a student enrolled in a five year dual degree program eligible if one degree is awarded at the end of four years and the second after the fifth year when the student did not sail for two semesters in the first four years.

*Answer:* No. Each student athlete needs to meet all eligibility requirements to be eligible in a season.

Procedural Rule 12(d) states: "No student-athlete shall represent a college after receiving a bachelor's degree from any college, except that a student-athlete, eligible to compete when the degree was received, shall remain eligible until the end of that season."

Thus, once the first degree has been awarded, the student athlete would become ineligible regardless of the number of seasons of eligibility used.

### **Procedural Rule 12(e) registration requirements**

In order to be eligible student athletes must register according to PR 15.

**Case PR 12(e) - 1 (2008)** Registering for a school which is not a member of a Conference

*Question:* Can an individual register on the ICSA website as a member of a team that represents a school which is not a member of a Conference.

*Answer:* No. PR 11(a) States "To be eligible competition, a college shall be a Member, in good standing of a Conference Association and meet any special conditions adopted by the sanctioning or sponsoring Association, unless otherwise

permitted by the President of ICSEA.” Thus any individual who registers for a team of a college not recognized as a Member of a Conference is ineligible.

### **Procedural Rule 12(f) prohibits sailing scholarships**

It has been a principle of the Association, reaffirmed on numerous occasions, that students may not accept financial assistance to attend college based on sailing ability. This rule does not prohibit students from accepting scholarships or other forms of financial assistance for which they might qualify for reasons other than sailing ability.

The exception to this rule was granted from 1989 to 2000 permitting an Olympic Tuition Assistance Grant awarded by the U.S. Olympic Sailing Committee to help defray a portion of a student's tuition after a review of the applicant's potential as an Olympic sailor. **The Board of Directors deleted this exception, June 2000, therefore Cases PR 12(f) -1, 2 and 3 are no longer valid and have been deleted.**

#### **Case PR 12(f) - 4 (1995) Waiver of out-of-state tuition fees**

*Question:* Does waiving out-of-state tuition fees for a student based on sailing ability violate PR 12(f)?

*Answer:* Yes. Waiving such fees would violate PR 12(e) and any student benefiting from such waiver would be ineligible. However, a student might qualify for resident tuition rates after attending an institution for a specified period of time, based on the school's general tuition policy rather than on sailing ability; in which case, eligibility would not be affected.

#### **Case PR 12(f) -5 (2001) Exception to tuition grants based on Sailing Ability**

*Question:* Should a student be given an exemption to PR 12(f) "No student shall receive financial assistance to attend college based on sailing ability" if the student accepts a tuition grant from the Canadian National Sailing Authority?

*Answer:* No. The rule does not provide for any financial assistance based on sailing ability regardless of the source.

#### **Case PR 12(f) - 6 (2003) Exception to tuition grants based on Interest in Sailing**

*Question:* Should a student be given an exception to PR 12(f) based on financial need and interest in sailing, rather than measured sailing ability or regatta finishes?

*Answer:* No. The intent of PR 12(f) is to eliminate financial assistance including grants in aid based solely or in part on a student's participation in intercollegiate sailing competition. If an exception for interest in sailing were made, all students participating in ICSA events would qualify, and the intent of PR 12(f) would be negated.

**Case PR 12(f) -7 (2005) Use of Financial Aid for recruiting**

*Question:* Were two students given financial aid based on sailing ability which caused them to select one school over another.

*Answer:* No. One student was given a Needs-based Award as an international student and would have been in the Class of 2007 but left school in 2003 for academic reasons. The other student was given a mix of Needs-Based Awards of loans, work study, and a grant from the school for which any incoming student could qualify. The information about these financial opportunities appears on the College's website and is available to all who might find it.

**Case PR 12(f) - 8 (2005) A Coach may communicate information on non-sailing ability financial aid**

*Question:* If the coach is talking to FA {Financial Aid Office} in any way is that a violation of PR 12(f)?

*Answer:* No. PR 12(f) does not prohibit a coach from talking to the Financial Aid Office about financial aid for which prospective students might be eligible. Further, it does not prohibit a coach from talking with a prospective student about such financial aid as long as that financial aid is not based on sailing ability.

**Case 12(f) - 9 (2006) "Athlete of the Year" Award with a Scholarship.**

*Question:* A group of newspapers has selected a student as athlete of the year. With the selection goes a scholarship which is given to the school to administer. Can the student accept the scholarship without violating PR 12(f)?

*Answer:* No. PR 12(f) Financial Assistance - No student shall receive financial assistance to attend college based upon sailing ability. If the selection of the individual is in any way based on the individual's sailing ability, acceptance of the associated scholarship would make the student ineligible for intercollegiate sailing competition.

Under this ruling the Newspapers would need to indicate that the award was made for athletic ability other than sailing and that the individual's sailing ability was not a factor in the selection process.

## **Case RP 12(f) - 10 (2007) Acceptance of a scholarship from a Yacht Club**

*Question:* Is any scholarship award from a yacht club considered 'financial aid based on sailing ability'?

*Answer:* Yes. The acceptance of a scholarship based on sailing ability regardless of the source would be in violation of PR 12(f) and would make the individual ineligible those seasons during which the scholarship was active.

No. The acceptance of a scholarship award which was based on non-sailing ability would not be a violation of PR 12(f). The Deed of Gift or other document establishing the award criteria would have to indicate that "sailing ability" was not to be used as a criteria, and would have to list other criteria which were clearly not related to "sailing ability".

*Question:* Specific to the award/scholarship described, would a sailor be ineligible if he/she accepted the award/scholarship?

*Answer:* Yes. The deed of gift states: "The recipient shall be: (a) a current or former Junior Member of the Z Yacht Club, the Z Yacht Club and/or the W Yachting Association;" and "Although not a mandatory component of the granting of the Award, the recipient ideally would be a participating member of such educational institution's club or varsity sailing team." Based on the wording of the Deed of Gift, the award is based on sailing ability thus the acceptance of the scholarship associated with the award would be in violation of PR 12(f) and make the individual ineligible for those seasons that the scholarship was active.

*Question:* Would a sailor be eligible if he/she accepted the award and declined the scholarship?

*Answer:* Yes. The acceptance of an award itself is not a violation of PR 12(f). PR 12(f) does not prohibit the acceptance of awards based on sailing ability as long as any financial assistance component, if any, is declined as was stated in Case PR 12(f) □ 9 (2006)

*Question:* If the Yacht Club in Case PR 12(f) □ 10 was to give an amount in place of the scholarship to charity (not the school attended) in the sailor's name would that be a violation of PR 12(f)?

*Answer:* No. The donation of funds to any charity which does not directly or indirectly benefit the award recipient or the school for which the recipient is attending does not violate PR 12(f).

## **Case PR 12(f) - 11 (2008) - Sponsorship**

*Question:* What rules govern "team" sponsorship?

*Answer:* ICSA Procedural Rules, The Racing Rules of Sailing, ISAF Regulations and ICSA Policy.

ICSA Procedural Rule 12(f) - Financial Assistance, prohibits individuals from accepting scholarships based on sailing ability. There are many interpretations of this rule in the ICSA Eligibility Case Book and Guide. However, most of them do not deal with the issue of a "team" only individuals or schools receiving 'financial assistance'.

It is also possible that RRS 79 - Advertising which refers to ISAF Regulation 20 - Advertising Code would be involved. Most sponsors like to arrange for advertising as part of "fulfillment" clause in a contract with the "team". Regulation 20 is quite specific about advertising during an event, but is somewhat lax when it comes to practice and other activities.

ICSA Procedural Rule 12(g) - Amateur Status requires that a competitor be Group I as defined by ISAF Regulation 22. However, The Sailor Classification Code (Regulation 22) also states: "The display of Competitor Advertising in accordance with the Advertising Code, Regulation 20, even if payment is received for it, does not influence the sailor's classification in this Code."

Lastly the ICSA has a policy on Sponsorship. This policy exists, but has not been updated on the ICSA Website, therefore the best way to check its current contents is to contact the ICSA President.

### **Case PR 12(f) - 12 (2011) Scholarships awarded by a Sailing Association**

*Question:* Does a Student-Athlete remain eligible after accepting a scholarship awarded by a boating safety group and an association of yacht clubs that have joined together to offer three \$2,500 scholarships? These scholarships are for students whose parents, grandparents or guardian are members of a yacht club that belongs to the Association.

The Student-Athlete is required to:

1. Completely fill out the application form.
2. Enclose an official transcript from your school.
3. Write an essay of approximately 300 words on one of three topics:
  - a. Mandatory boater education concerns and solutions
  - b. Improvements for the Bay and Delta waterways.
  - c. Community service or volunteer work

4. Provide a written statement of need.

The criteria that will use is based for selection are:

1. Academic record
2. Scholastic record
3. School involvement
4. Community involvement
5. Essay

*Answer:* Yes. The scholarship program is based on membership in that organization, and the criteria appear to be based on academic record and an essay which does not deal with sailing ability.

It should be noted that PR 12(f) restricts scholarships based on sailing ability. The listing of items # 2 (Scholastic Record) & 3 (School involvement) may need some clarification. A statement indicating that indicated that the scholarships would not be based on sailing ability would be useful.

A review of Cases PR 12(f) - 5,6,9, and 10 in the ICSA Eligibility Case Book & Guide can provide additional assistance in determining if a scholarship meets the requirements of PR 12(f).

### **Procedural Rule 12(g) requires all students to be amateurs**

There are three measures of amateur status, two compulsory and one advisory

1. All students must be Group 1 competitors as defined by the Racing Rules of Sailing, ISAF Regulation 22. (See Case PR 12(g) - 3 below for access to the current version of ISAF Regulation 22.)

**However the President of ICSA announced the following as being approved by the Executive Committee, 12/30/10:**

*“Notwithstanding any other provision of ICSA Procedural Rules and the Racing Rules of Sailing, ICSA Procedural Rule 12 g shall not apply to an individual who has been officially named as a member of a National Team, if the sole reason that individual is classified as a Group 3 is due to their participation on such National Team. For purposes of this blanket waiver National Team is one selected, organized and sponsored by US Sailing or for student-athletes representing another nation, the equivalent organization of that nation. The effective dates of this waiver are July 1, 2008 - June 30, 2011.”*

2. No student can be compensated as a college sailing coach.
3. NCAA regulations and certain Athletic Conferences have rules which are more restrictive than those contained in the Procedural Rules. For schools that observe these rules should consult with their NCAA and/ or Conference compliance officer.

**Case PR 12(g) - 1 (1989) Compensation as a coach**

*Question:* Is a student who is compensated for coaching his own team or a team any other college eligible?

*Answer:* No. The Board of Directors subsequently incorporated this prohibition into the Procedural Rules. (PR 12(g))

**Case PR 12(g) - 2 (2002) Suspension by US SAILING**

*Question:* A sailor has been suspended from competition by US SAILING is joining our team. The suspension has expired. Is the individual eligible to sail in ICSA events?

*Answer:* Yes, if the suspension has been lifted without restriction. The individual will, however, have to meet all of the current ICSA eligibility rules.

**Case PR 12(g) - 3 (2005) Accepting Grants - Competitor Classification**

*Question:* Is a student eligible if that individual accepts a Development Grant from Sport Canada. The grant normally is for \$500/month for a period of one year and is based on sailing ability.

*Answer:* No. In this case the student was registered and was classified as a Group 1 Competitor. However, analysis of questions on the ISAF Classification Questionnaire indicates that if the student accepted the Development Card, that student would probably be reclassified by the ISAF Classification Authority as a Group 3 Competitor and would be ineligible under PR 12(f).

PR 12(f) states: "A student must be a US Group 1 competitor by ISAF Regulation 22..." Also PR 12(g) indicates: "All questions and protests concerning eligibility shall be decided by the ICSA Eligibility Committee, except that it shall refer questions relating to amateur status under ISAF Regulation 22 to the ISAF Classification Authority (ISAF Sailor Classification Code) its contents should be examined to determine a probable answer.

The preamble of ISAF Regulation 22 states:

"When the ISAF Sailor Classification Code is selected for an event it shall be stated in the Notice of Race unless already stated in the Class Rules."

22.3.2 states: "It is the responsibility of the competitor to declare his or her correct classification and to notify the Classification Authority immediately of any change of circumstances that may result in a change of classification. A competitor shall not hold more than one classification at the same time."

22.3.3 states: "A competitor, having read this Code, shall declare his or her classification by completing a form approved by ISAF and submitting it to the Classification Authority."

To register Student-Athletes should use:

<http://www.sailing.org/isafsailor/register.asp>

It should be noted that most College students are less than 24 years of age and therefore would automatically be classified as Group 1 Competitors. However, 22.2.1(c) could result in a change to Group 3 and make the student ineligible for ICSA regattas.

22.2.1(c) states: "However, a competitor who before his or her 24th birthday has engaged in Group 3 activities for no more than 100 days in the Qualification Period is a Group 1 competitor and a competitor who has not yet reached his 18th birthday is a Group 1 competitor."

The full text of ISAF Regulation 22 should be consulted to clarify any questions or issues not covered above:

[http://www.sailing.org/tools/documents/ClassificationCode2010ISAF-\[8561\].pdf](http://www.sailing.org/tools/documents/ClassificationCode2010ISAF-[8561].pdf)

**Case PR 12(g) - 4 (2006) Being paid for acting in a movie**

*Question:* Does participation in a movie about sailing where racing is involved impact a student's eligibility?

*Answer:* PR 12(g) requires that a student be classified as a Group 1 Competitor under the Racing Rules of Sailing. The assignment of sailors to Groups is done by ISAF Classification Authority. Therefore, a student would have to register with ISAF as a Competitor and request a ruling as to his/her Competitor Classification. If ISAF determines that the student is classified as a Group 3 Competitor then the student would be ineligible and under ISAF Regulation 22 would remain ineligible for a minimum of 24 months (Pending any appeal - See ISAF Regulation 22.3.6).

22.1 Definitions of this Code states:

"The Qualification Period to become a Group 1 competitor or to change from a Group 3 competitor to a Group 1 competitor is: 24 months before the Classification Date, during which the competitor has not been engaged in Group 3 activities."

ISAF Regulation 22.2.1 gives guidance (See **Case PR 12(g) - 3** above) as to the normal issues relating to college students and Group 3 classification.

Other issues which may be related to this case are in the ISAF Regulation 22.1 and 22.2.1(e) which follow:

22.1 Definitions of this Code states:

Work includes:

employment, self-employment and any ad-hoc activity whether full time, part time or occasional and whether in person or through a partnership, limited company or any other organization and including any services for which there is payment or financial benefit directly or indirectly, and

Pay and its derivatives means:

the receipt by a sailor of; or the acceptance by a sailor of an offer to him to give money, money's worth, remuneration, fees, grants, gratuities, any financial benefit whether arising directly or indirectly or compensation in any form whether received by him or an associate, but not including Personal Expenses."

22.2.2 A Group 3 competitor is a competitor who, within the Qualification Period

"(e) has been paid for allowing his or her name or likeness to be used in connection with his or her sailing performance, sail racing results or sailing reputation, for the advertising or promotion of any product or service;"

The text of ISAF Regulation 22 can be found on the ISAF website (See Case 12(f) - 3)

**Case PR 12(g) - 5 (2007) Student employment**

*Question:* Is a student eligible if he or she is employed as one of the following:

- a) a teaching assistant/ instructor for a sailing course, or
- b) a teaching assistant/ instructor for a non-sailing waterfront course, or
- c) a waterfront monitor for during regular schedule class times, or

d) to perform maintenance on boats and other equipment,  
at an ICSA member school.

*Answer:* If the student is under 18 years of age then ISAF Regulation 22 classifies the student as a Group 1 competitor. Thus the student will meet the requirement of PR 12(f).

If the student is 18 years and less than 24 years of age ISAF Regulation 22 provides for the student to participate in Group 3 activities for no more than 100 days/year and still be a Group 1 competitor. Thus the student will meet the requirement of PR 12(f).

A student who has participated in Group 3 activities is a Group 3 competitor, except as in the paragraph above. Thus the student will not meet the requirement of PR 12(f) and be ineligible.

Relative to part (d) of the question it should be noted that ISAF Regulation 22 indicates that payment for the repair and maintenance of a boat that is then sailed by a competitor is a Group 3 activity, thus depending on the circumstances this activity may make an individual ineligible (See ISAF Regulation 22.2.2(a)(ii)).

The text of ISAF Regulation 22 can be found on the ISAF website (See Case 12(g) - 3).

PR 12(g) includes the statement: “No student shall hold a compensated position as a college sailing coach.” Thus, to meet the requirements of PR 12(g) the student would not be able to teach racing techniques, supervise or monitor practice, or any other duties normally associated with coaching. If these activities were involved then the student would be ineligible.

PR 12(f) states: Financial Assistance - No student shall receive financial assistance to attend college based upon sailing ability. Thus if any one of the above positions was promised to a student as a part of a financial aid package based on sailing ability, the student would be ineligible.

#### **Case PR 12(g) - 6 (2007) Leave of absence to be a Coach**

*Question:* If a student took a leave of absence from school to take a

- a) Paid
- b) Unpaid (volunteer)

position as a sailing coach at an ICSA member school, retain his or her remaining eligibility?

*Answer:* This question prompted the Board of Directors to modify PR 12(g) at its Winter meeting in 2008. The answer to the question prior to January 2008 was yes. However, the answer after January 2008 is as follows:

a) Paid - No. PR12(g) Indicates that once an individual accepts compensation as a sailing coach of at an ICSA member school, that that individual becomes ineligible for further ICSA competition.

b) Unpaid - Yes, competitors and team leaders are permitted to "coach" as long as they are not compensated in any way for their efforts. A competitor taking a leave of absence from school would retain any remaining eligibility after returning to school after engaging in "coaching" activities for which he or she did not receive compensation while on leave of absence. Competitors requesting exceptions for an extension of the normal limits on eligibility for this purpose will not be granted.

#### **Case PR 12(h) - 1 (2003) Prescription Painkiller use**

*Question:* Is a sailor ineligible under PR 16(a) {Contestant Conduct} or ISAF Regulation 21 {Anti-Doping Code} if using a painkiller prescribed by a Doctor for an injury?

*Answer:* It depends on whether the painkiller is on the list of prohibited substances. This list is subject to change. If in doubt students are urged to check the current list on the ISAF website: <http://www.sailing.org>

#### **PR 14(c) Permits Emergency Substitutions in non-championship events provided that the substitute meets all other eligibility requirements.**

##### **Case PR 14(c)(ii) - 1 (2011) Use of an Ineligible Substitute**

A college team used a high school student to substitute for a sick crew. The skipper of the college team contacted the high school student after learning that the host team could not provide a crew as promised. The high school student had no knowledge of the ICSA Procedural Rules. Another team's coach discovered that the high school student was being used as a crew. The skipper withdrew from all the races in which the high school crew sailed.

*Question 1:* Did the high school student lose a season of college eligibility by participating in the event?

*Answer:* Yes. PR 12(c)(i) states "No student-athlete shall compete for more

than eight seasons within five consecutive years, beginning with the season in which the student-athlete first competes in an inter-collegiate regatta...” Application of this rule requires that if an individual competes as a student-athlete the individual lose one of the allotted eight seasons of eligibility. Procedural Rule 2 states: “...All contestants shall be responsible for full knowledge of the contents of these Procedural Rules.” Ignorance of the rules is no excuse for breaking a Procedural Rule.

*Question 2:* Should the team using the high school student be penalized?

*Question 3:* Should the host team be penalized for permitting the high school student to sail?

*Question 4:* Should the Skipper using the high school student be penalized?

*Answer:* Questions 2-4 do not deal with eligibility and thus cannot be dealt with under PR 12(h). These questions need to be referred to the Protest Committee for the event as they deal with the application of penalties under PR 15(c). If the application of different penalties is desired, questions or suggestions should be directed to the Conference Commissioner of the Conference in which the event took place, or the ICSA President.