

USPHRF National Appeal Process

INTRODUCTION

This document describes the process for appeal of a performance handicap assigned by a local or regional PHRF authority recognized by USPHRF. It is the right of a PHRF certificate holder to appeal a local or regional handicap when criteria described below are met. It is an obligation of an affiliated US PHRF Fleet to forward an appeal from a member when conditions described below are met. Instructions for filing the appeal follow.

Appeals are of two kinds:

1. An owner may appeal the handicap assigned to their boat.
2. An owner may appeal the handicap assigned to a competitor's boat.

Formal appeals of handicaps are made to the local or regional PHRF organization that issued the handicap. Such an appeal must be considered by the local or regional PHRF organization in a timely manner. Appellants must set forth their views in writing and must document their case with supporting data. When the appellant is not satisfied with the local or regional handicappers' resolution of the appeal, a national appeal to the USPHRF Appeal Committee may be initiated. When both the local or regional PHRF organization and the appellant agree by their signature to abide by the national appeal procedure and decision, elsewhere described, the national appeal may go forward.

It is important to note that denial of the national appeal process disenfranchises local or regional PHRF sailors and can result in action to deny affiliation of the offending local or regional PHRF organization with USPHRF and a prohibition against using the copyrighted PHRF name for any competitive event applying USPHRF methodology and procedures. Denial of a national USPHRF appeal is also inconsistent with the grievance provisions of US SAILING bylaws and regulations.

Attached to this document is a form to be completed and submitted to the USPHRF National Appeal Committee. This initiates the appeal process. Paul J. Ansfield is the Committee chairperson and may be reached via fax (920-233-5782) or mail: 1135 Maricopa Drive; Oshkosh, WI 54904-8118. E-mail may be sent to ansfield@northnet.net or ansfield@uwosh.edu.

CONDITIONS FOR HEARING AN APPEAL OF A HANDICAP ASSIGNED BY A LOCAL OR REGIONAL PHRF

1. The appellant is a current member of the United States Sailing Association or respective National Authority.
2. The local or regional PHRF organization's appeal process was exhausted.
3. The appellant attests that the handicap under appeal is current.
4. Hull, rig, and sail dimensions are unchanged since assignment of the present handicap.
5. All parties to the appeal, by their dated signatures, agree to abide by the decision resulting from the appeal hearing for no less than two years.
6. When the handicap assigned to one's own boat is appealed, the appellant must submit:
 - i. five (5) copies of the local or regional appeal procedures,
 - ii. five (5) copies of the current and valid PHRF certificate,
 - iii. five (5) copies of the appeal document,
 - iv. five (5) copies of the local or regional PHRF organization's response to the appeal,
 - v. a check or money order for \$375.00 made payable to USPHRF to cover costs of the appeal hearing, and dissemination of its results.
7. When the handicap assigned to a competitor's boat is appealed, the appellant must submit:
 - i. five (5) copies of the local or regional appeal procedures,
 - ii. five (5) copies of the current and valid PHRF certificate,
 - iii. five (5) copies of the appeal document,
 - iv. five (5) copies of the local or regional PHRF organization's response to the appeal;
 - v. five (5) copies of the response to the appeal by the owner of the boat whose handicap is appealed and the responses to the appeal of all sisterships that race in the appellant's location or regional PHRF area., and
 - vi. a check or money order for \$375.00 made payable to USPHRF to cover costs of the appeal hearing and dissemination of its results

ADDITIONAL INSTRUCTIONS FOR COMPLETING APPEAL DOCUMENTS

Appellants must furnish all requested information using the following form. No more than five (5) pages of additional information may be attached to the appeal form.

In the case where the appellant initiates the appeal process to change the handicap of a competitor's boat and its sisterships, the form must be filed concerning the appellant's boat only. Additional pages might in a narrative include a clear statement of the basis for the appeal of a competitor's handicap.

The form and any additional pages of information comprise the appeal document. Incomplete information or failure to meet the conditions for appeal or follow any of the instructions will result in return of the document to the appellant. The appeal may be refiled when all conditions are met.

ACCEPTANCE OF APPEAL DOCUMENTS

The USPHRF Appeal Committee Chairperson will accept the appeal and notify the appellant when all conditions for an appeal are met. The Chairperson will begin the appeal process by appointing an Appeal Hearing Committee comprising no more than three expert handicappers. Appeal Hearing Committee members are chosen from the various regions of US SAILING.

The USPHRF Appeal Committee will reject an appeal submittal without a hearing if for reason it is judged frivolous. A letter of rejection with reasons for the action will be transmitted with the return of the submitted appeal documents to the appellant.

APPEAL HEARING COMMITTEE PROCEDURES

Upon acceptance of the appeal, copies of all documents relevant to the appeal are sent to the Appeal Hearing Committee members and a hearing will be scheduled within forty five (45) days. The hearing will be conducted by telephone conference presided over by the Chairperson of the USPHRF Appeal Committee. Note that the Chairperson is not a participant in the appeal, but will conduct the hearing. During the hearing, the appellant will be asked to present his position and the local or regional PHRF organization's representative will present their position. Unless otherwise designated on the appeal documents, the representative of the local or regional PHRF organization will serve as a spokesman for the organization during the appeal hearing. In the same order the parties to the appeal will be allowed no more than a five minute rebuttal. The Appeal Hearing Committee members will then question both parties to the appeal. When this portion of the hearing concludes, the Chairperson will dismiss the parties to the appeal and the hearing committee will continue to meet to resolve the appeal. At that time parties to the appeal are notified that the decision will be immediately mailed and that no further communications regarding the appeal will be acknowledged for two years from the date of the decision. After this announcement the conference call operator will disconnect the appellant and the Hearing Committee shall proceed to a decision.

ACKNOWLEDGMENT AND AGREEMENT

Each party to the appeal, by their dated signatures affixed on the appeal form, acknowledges that:

1. All of the information relating the appeal to USPHRF for a change in assigned handicap has been read and understood.
2. The boat for which the handicap is being appealed has not been modified since the date the handicap under appeal was initially assigned.
3. The handicap being appealed has changed since initial assignment.

Furthermore, by their dated signatures, each party to the appeal agrees to abide by the decision of the Appeal Hearing Committee for a period of no less than two years from the date of decision.

USPHRF HANDICAP APPEAL FORM

(Appellant's Name)

(Appellant's Street Address)

(Appellant's City, State, & Zip Code)

(Appellant's Telephone Number)

(Appellant's Telefax Number)

(Appellant's E-mail address)

(Appellant's Signature)

(Local or Regional PHRF representative's Signature)

The above signatures attest and acknowledge that all of the information relating to the USPHRF appeal process has been read and understood, the appellant's boat has not been modified since the date the handicap under appeal was last assigned, and that the appellant and the local or regional PHRF organization agree to abide by the decision of the hearing committee for a period of no less than two years from the date of decision.

BOAT AND HANDICAP DATA

Boat Name	
Type/Class	
Manufacturer & Hull Date	
Sail Number	
Current Base Handicap Less Penalties/Credits	
Current Handicap with Penalties/Credits	

BOTTOM PREPARATION

When was the boat last hauled?	
What type of bottom paint is applied?	
How is the bottom paint applied?	
How often is the bottom cleaned?	
How is the bottom cleaned?	

SAIL INVENTORY

SAIL	Sail Maker	Material	Ozs.	Condition	Age (months)
Main					
1 st Genoa LP% =					
2 nd Genoa LP% =					
3 rd Genoa LP% =					
1 st Spinnaker					
2 nd Spinnaker					
Other					
Other					

SKIPPER AND CREW EXPERIENCE

Number of years of racing experience for the skipper/owner _____

Number of persons in the racing crew including skipper _____

Number of crew members racing with the skipper more than 50% of the time _____

RACES AND PERFORMANCE

Briefly describe the number and type of PHRF races sailed annually, such as Low Keys, High Pressure, One Design, Area Championships. *(Use an additional page if necessary.)*

RESULTS FOR THE LAST FIVE RACES WITH THE BEST FINISHES

Race Name	Class or Division	Number of Starters	Corrected Finish Position	+/- sec/mi to be 1st in class	+/- sec/mi to be 3 rd in class	Sponsor

How many races did you finish this last season? (Approx.) _____ Two seasons ago? _____

What percentage of the time did you finish in the top third of your section? _____

What percentage of the time did you finish in the middle third of your section? _____

What percentage of the time did you finish in the bottom third of your section? _____

BOATS THAT REGULARLY BEAT THE APPELLANT'S BOAT ON CORRECTED TIME

<u>Class/Type</u>	<u>Handicap</u>	<u>Class/Type</u>	<u>Handicap</u>	<u>Class/Type</u>	<u>Handicap</u>
1 _____	_____	4 _____	_____	7 _____	_____
2 _____	_____	5 _____	_____	8 _____	_____
3 _____	_____	6 _____	_____	9 _____	_____

BOATS BEAT OR SAILED EQUAL TO ON CORRECTED TIME

<u>Class/Type</u>	<u>Handicap</u>	<u>Class/Type</u>	<u>Handicap</u>	<u>Class/Type</u>	<u>Handicap</u>
1 _____	_____	4 _____	_____	7 _____	_____
2 _____	_____	5 _____	_____	8 _____	_____
3 _____	_____	6 _____	_____	9 _____	_____

BOATS THE APPELLANT CONSIDERS INCORRECTLY HANDICAPPED

<u>Class/Type</u>	<u>Handicap</u>	<u>Class/Type</u>	<u>Handicap</u>	<u>Class/Type</u>	<u>Handicap</u>
1 _____	_____	4 _____	_____	7 _____	_____
2 _____	_____	5 _____	_____	8 _____	_____
3 _____	_____	6 _____	_____	9 _____	_____

NOTE: The appellant may add in addition to this page and beginning with this page no more than five (5) double spaced typewritten pages of continued or other relevant information. For example, it might help the Council to know conditions under which the appellant typically races, especially weather, prevalent in your sailing area. Additionally, the courses sailed could be noted as well as the nature of the section breaks for intraclub or interclub competition.

OTHER RELEVANT INFORMATION