

# **CODE OF ETHICS OF THE UNITED STATES CHESS FEDERATION (US CHESS)**

Last revised August 2018 with revisions below in **Red Text** - Posted September 10, 2018

## **PURPOSE AND SCOPE**

- 1.** The purpose of this code of ethics is to set forth standards to which the conduct of players, tournament directors, sponsors, and other individuals and entities participating in the affairs of the United States Chess Federation (US Chess), including tournaments and other activities sponsored by or sanctioned by US Chess, should conform; to specify sanctions for conduct that does not conform to such standards; and to specify the procedures by which alleged violations are to be investigated and, if necessary, the appropriate sanctions imposed.
- 2.** The standards, procedures, and sanctions set forth in this code of ethics are not equivalent to criminal laws and procedures. Rather, they concern the rights and privileges of US Chess membership, including, but not limited to, the privilege of participating in tournaments, events, or other activities as a member of US Chess.
- 3.** The standards, procedures, and sanctions set forth in this code of ethics shall apply only to actions and behavior by:
  - (A)** members of US Chess, that occur in connection with tournaments or other activities sponsored by or sanctioned by US Chess; and **(B)** individuals and entities acting in an official capacity as officers or representatives of US Chess. This code shall not apply to actions or behavior by employees of US Chess acting in the scope of their duties. Such actions fall instead under the province of the Executive Board.
- 4.** Each member of US Chess and each participant in a US Chess activity shall be bound by this code of ethics.

## **THE US CHESS ETHICS COMMITTEE**

- 5.** The US Chess Ethics Committee is appointed in accordance with procedures consistent with the bylaws of US Chess. The committee exists to consider allegations of unethical conduct at or in connection with events sanctioned by US Chess, and allegations of unethical conduct involving US Chess and its activities, in accordance with the standards and procedures contained in this code. The committee will exercise all other duties as may be assigned by the Bylaws or by action of the US Chess Board of Delegates.

## **STANDARDS OF CONDUCT**

- 6.** The actions and behavior of players, tournament directors, sponsors, and other individuals and entities participating in US Chess activities, or in events sponsored by or sanctioned by US Chess, shall be lawful and in accordance with all US Chess rules and regulations, and consistent with the principles of fair play, good sportsmanship, honesty, and respect for the rights of others. The following is a list of examples of actions and behavior that are considered unethical. The list is not intended to be exhaustive, and any action or behavior that is unlawful or violates US Chess rules and regulations, or is inconsistent with the principles

of fair play, good sportsmanship, honesty, and respect for the rights of others, may be considered to fall within the scope of this code of ethics.

- (a) Intentional violations of tournament regulations, or of any other regulations pertaining to US Chess activities and goals, particularly after being warned.
- (b) Cheating in a game of chess by illegally giving, receiving, offering, or soliciting advice; or by consulting written sources; or by tampering with clocks; or in any other manner.
- (c) Deliberately losing a game for payment, or to lower one's rating, or for any other reason; or attempting to induce another player to do so. Deliberately failing to play at one's best in a game, in any manner inconsistent with the principles of good sportsmanship, honesty, or fair play.
- (d) Deliberately misrepresenting one's playing ability in order to compete in a tournament or division of a tournament intended for players of lesser ability; players with foreign ratings are expected to disclose those ratings.
- (e) Participating in a tournament under a false name or submitting a falsified rating report.
- (f) Participating in a tournament while under suspension.
- (g) Purposely giving false information in order to circumvent or violate any rule or regulation or goal recognized by US Chess.
- (h) Attempting to interfere with the rights of any US Chess member, such as by barring someone from entering a US Chess-sanctioned event for personal reasons. Generally, no individual should be barred from a US Chess-sanctioned event for which he or she meets the advertised qualifications, without appropriate due process, and then only for behavior inconsistent with the principles of this code and/or the rules of chess. If a ban on future participation is imposed, the individual should be notified of the ban prior to his attempting to appear at future events.
- (i) Violating federal, state, or local laws while participating in activities that are associated with US Chess.

## **PROCEDURES**

7. Any US Chess member may initiate procedures under this code of ethics by filing a complaint in a timely manner with the US Chess Ethics Committee. A good-faith deposit must be submitted by the complainant. The amount of the deposit shall be set by the US Chess Executive Director, who shall review it from time to time in consultation with the Ethics Committee. The deposit shall be returned unless the Committee rules that the case is frivolous. The Committee may determine whether to return the deposit even before it determines jurisdictional and merit questions. The Committee may also, by a two-thirds vote, accept complaints submitted without the deposit. **Complaints submitted by a US Chess employee as a**

result of actions related to official US Chess activities shall not require the payment of the deposit.

In the case of any accusation that does not fall clearly under the *Standards of Conduct* above, the Ethics Committee shall have the authority to decide whether the alleged conduct is within the scope of the code of ethics. In the case of each alleged violation that is within the scope of the code of ethics, the following steps shall occur in a timely manner:

(a) A factual inquiry shall be made by the Ethics Committee, assisted as necessary by the US Chess staff. Previous findings of the Ethics Committee or other US Chess entities may be included among the evidence considered by the Ethics Committee, if relevant to the circumstances of the present case. As a part of such an inquiry, any person accused of unethical conduct shall have the right to examine the evidence against him or her, the right to respond to the accusation, and the right to produce written evidence in his or her behalf.

(b) When issuing a decision, the Ethics Committee will provide a rationale for its decision to the parties involved and to the Executive Board.

(c) Appropriate sanctions, if any, shall be recommended to the Executive Board by the Ethics Committee. In recommending sanctions, the Ethics Committee may consider any previous ruling or finding of the Ethics Committee, or other US Chess entity, pertaining to the past conduct of the person being sanctioned. In recommending sanctions, the person being recommended for sanctions must be informed of this fact. Any person against whom sanctions have been recommended shall be promptly notified. If appeals are filed, the Ethics Committee shall be promptly notified.

(d) Except as specified in 7(f) sanctions recommended to the Executive Board shall be deemed final unless appealed to the Executive Board by the person or persons upon whom the sanctions have been imposed, or upon the initiative of any member of the Executive Board. Such an appeal must be made within thirty days of the date that notification of recommended sanctions occurred, except that the Executive Board may extend the deadline for appeal if in its judgment an unavoidable delay in communications or other valid cause prevented a timely appeal. If an appeal has not been filed by the deadline the recommended sanctions shall be placed into effect. No appeals shall be permitted in cases where the Ethics Committee has found in favor of the respondent and has recommended no sanctions.

(e) Upon appeal, a review of the facts and the appropriateness of the recommended sanction shall be undertaken by the Executive Board. The person against whom the sanction has been recommended, as well as the person filing the initial complaint, shall be given notice of the time and place the Executive Board will review the case. The person against whom the sanctions have been recommended shall have the right to appear before the Board and present evidence from the record. Any person appearing before the Executive Board upon appeal may be represented by counsel with the permission and at the sole discretion of the Executive Board. In all appeals the recommended sanctions imposed by the Ethics Committee shall not be in effect until the appeal hearing is completed. The recommended sanctions shall be either confirmed, modified, or revoked by the Executive Board.

(f) If the person against whom sanctions have been recommended is a member of the US Chess Executive Board, he or she may not appeal the sanctions to the Executive Board but may appeal to the US Chess Board of Delegates at its next scheduled meeting.

(g) If any member of the Ethics Committee or of the US Chess Executive Board has a conflict of interest of any kind that might preclude objective participation in the consideration of any case, that person may not act in the capacity of a committee or board member on the case.

## **SANCTIONS:**

**8.** The following are some of the sanctions that may be imposed as a result of the procedures specified above. In unusual cases, other appropriate sanctions may be imposed, or these sanctions may be varied or combined.

(a) Reprimand. A determination that a member has committed an offense warranting discipline becomes a matter of record, but no further sanction is imposed at the time. A reprimand automatically carries a probation of at least three months, or longer if so specified. If the member is judged guilty of another offense during the probation, he or she is then liable to further sanctions for both offenses.

(b) Censure. A determination that a member has committed a serious offense warranting discipline becomes a matter of record, but no further sanction is imposed at the time. Censure automatically carries a probation of at least one year, or longer if so specified. If the member is judged guilty of another offense during the probationary period, he or she is then liable to further sanctions for both offenses.

(c) Suspended sentence with probation. A determination is made that the member has committed an offense warranting discipline. When the discipline is imposed and execution thereof suspended, such suspension shall include probation for at least six months longer than the discipline imposed. If the member is judged guilty of another offense during this period, unless otherwise decreed, the original discipline shall be added to such new discipline as may be imposed for the new offense.

(d) Suspension. Suspension is a determination that the member has committed an offense warranting abrogation, for a specified period of time, of all membership rights and privileges.

(e) Expulsion. Expulsion is a determination that a member has committed an offense warranting permanent abrogation of all membership rights and privileges. An expelled member may be readmitted to membership only by the US Chess Executive Board or by the US Chess Board of Delegates.

(f) Exclusion from events. This is a more selective determination that a member has committed an offense warranting abrogation of the right to participate in certain specified events or activities.

**9.** If the person being sanctioned is a member of the US Chess Executive Board, the Ethics

Committee may recommend to the Executive Board no sanctions other than censure or reprimand but may also recommend to the Board of Delegates other actions.

**10.** In the case of every sanction that involves suspension or expulsion, a member may not hold any office in US Chess or participate in any capacity in any event or activity sponsored by or sanctioned by US Chess.

**11.** The US Chess Business Office shall be informed in writing of all official determinations by the Ethics Committee and shall record any recommendations of any sanctions. The US Chess Business Office shall inform the Executive Board of any sanctions recommended.

**Implementation and modification history:** the previous Code of Ethics was replaced in its entirety with the above Code by DM 97-16/ADM 97-24 and passed as amended at the 1997 Annual Meeting. This Code of Ethics was further amended by DM 98-71/ADM 98-80 and the amendments were passed at the 1998 Annual Meeting. This Code of Ethics was further amended by DM 99-75/NDM 99-68 and the amendments were passed at the 1999 Annual Meeting. This Code of Ethics was further amended by DM 04-22/ADM 04-16, DM 04-23/ADM 04-17 and DM 04-25/ADM 04-19 and the amendments were passed at the 2004 Annual Meeting. This Code of Ethics was further amended by DM 15-20/NDM 15-05 and the amendments were passed at the 2015 Annual meeting. This Code of Ethics was further amended by DM16-31/ADM 16-32, DM 16-51/ADM 16-49, DM 16-52/ADM 16-50, DM 16-53/ADM 16-51, DM 16-54/ADM 16-52, DM 16-59/ADM 16-58 and the amendments were passed at the 2016 Annual Meeting. This Code of Ethics was further amended by DM 17-32/NM 17-02, DM 17-43/ADM 17-36, DM 17-44/ADM 17-37 and the amendments were passed at the 2017 Annual Meeting. This Code of Ethics was further amended by DM 18-29/ADM 18-17 and the amendments were passed at the 2018 Annual Meeting.