

# Safe Play Policy Effective Jan. 1, 2024

I.	cope				
II.	. Covered Individuals				
A.	Who is Covered	1			
III.	Prohibited Conduct	2			
A.	Sexual Misconduct	2			
B.	Bullying	3			
C.	Hazing	4			
D.	Harassment	4			
E.	Emotional Misconduct	5			
F.	Physical Misconduct	6			
IV.	Mandatory Training & Education				
	V. Mandatory Background Screening	6			
VI.	Responding to An On-Site Incident	6			
VII.	Reporting	7			
A.	How to Report Alleged Violations to US Chess after an Event	8			
B.	Mandatory Reporting	8			
VI	II. Authority and Process	9			
Appendix A. Definitions		11			

US Chess is grateful to the U.S. Tennis Association (www.usta.org) for permission to modify their Safe Play for our use.

# I. Scope

This Policy applies to all US Chess rated tournaments and sanctioned activities and events. US Chess rated tournaments (over-the-board and online) include all areas with a sufficient connection to the tournament location including the tournament venue, playing area, skittles, parking lot, and hotel. Sanctioned activities and events include, but are not limited to, US Chess delegates meetings; US Chess committee meetings; US Chess executive board meetings; events with a sufficient tie to US Chess that are run by a US Chess Affiliate like chess camps, chess club meetings, etc. US Chess members shall report alleged violations of the Safe Play Policy using the procedures outlined herein.

US Chess requires its Affiliates and State Chapters to comply with this Policy for any US Chess rated tournament, sanctioned activity, and chess-related event they organize. US Chess encourages its Affiliates and State Chapters to adopt and implement this Policy for their own events and activities. Nothing in this Policy prevents an Affiliate or State Chapter from addressing complaints made during a local or state chess event. US Chess recognizes that in some instances, complaints may be addressed immediately and more effectively by the Affiliate, the State Chapter, and/or local law enforcement.

US Chess is committed to providing a safe environment for all chess players. Common standards of decency are reflected in this Safe Play Policy, but they are not designed for the airing of petty grievances. Recognizing that membership in US Chess is a privilege, and not a right, serious complaints involving conduct with a sufficient connection to US Chess will be addressed in accordance with this Policy. This Policy will be implemented and interpreted at the sole discretion of US Chess.

#### II. Covered Individuals

All Covered Individuals must meet the requirements specified in this Policy when participating in a US Chess rated tournament, a sanctioned activity, or an event with a sufficient connection to US Chess.

#### A. Who is Covered

- 1. **Players.** These are the people, regardless of age, participating in or registered for the event as competitors.
- 2. **Tournament Directors (TDs) or Arbiters.** These people monitor the conduct of tournament games in the Playing Area, make rulings on the floor in response to players' claims or questions about US Chess rules, and control the playing conditions in the tournament room (noise, lighting, heating/cooling). TDs or Arbiters also perform "back room" operations associated with the event pairings and scheduling. TDs/Arbiters may be paid staff or volunteers.

- 3. **Chess Coaches.** People providing instruction to players at chess tournaments and sanctioned chess activities or events.
- 4. **Senior Authority and Event Staff.** The Senior Authority is the senior person on site for the US Chess sanctioned/rated event. Event Staff are people who assist the Senior Authority in overseeing and/or supporting the smooth conduct of the tournament. They include US Chess full/part-time employees, volunteers, and/or paid scorekeepers, Playing Hall Monitors, and other individuals (volunteer or paid) who have been assigned duties to monitor various areas of the playing venue or perform event-support duties assigned by the event Organizer or Chief TD / Arbiter.
- 5. Contractors and Vendors. These are people who (or whose companies) are under direct contract with US Chess or the Organizer to support the conduct of the tournament on-site. Contractors include, but are not limited to, book and chess equipment/supply vendors, exhibitors, package delivery employees, professional players conducting simultaneous exhibitions or giving lectures, as well as contracted photographers, audio-visual staff, media personnel and Medical Service Staff who are under contract with US Chess for the event.
- 6. **Spectators**. These are people who are not participating in the tournament as players, but who are attending for the purpose of observing the event or for providing support to the event or one or more participants. They include the US Chess Executive Director, other employees of US Chess, friends and relatives of players, players' coaches and/or support staff, officials from players' schools or local chess clubs, non-participating team members, as well as media personnel external to US Chess.
- 7. **Official Attendees**. These are people attending the event as an official invitee of US Chess, but who do not otherwise fall into one of the covered categories above. Examples include, but are not limited to, members of the US Chess Executive Board, US Chess Scholastic Representatives, US Chess Delegates, local dignitaries, celebrities, etc.

#### **III.** Prohibited Conduct

US Chess strictly prohibits the following types of conduct.

#### A. Sexual Misconduct

Conduct that includes but is not limited to Sexual or Gender-related Harassment, Nonconsensual Sexual Contact or Intercourse, Sexual Exploitation, Sexual Bullying or Hazing, or Other Inappropriate Conduct of a Sexual Nature.

- 1. **Sexual Misconduct involving Minors**. Regardless of any purported Consent, a sexual misconduct offense involving a Minor includes:
  - **a.** Sexual Misconduct (or attempt to commit the same) between a <u>Covered Adult</u> and a <u>Minor</u>.
  - **b.** Sexual Misconduct (or attempt to commit the same) between a Covered Adult and a Minor where the age difference is less than three years, but a Power Imbalance exists.

- **c.** An Intimate Relationship (or attempt to establish the same) between a Covered Adult and a Minor where the age difference is three or more years and a Power Imbalance exists.
- **d.** Sexual Conduct between a Covered Minor and another Minor if (1) the age difference is three or more years; or (2) there is a Power Imbalance based on the totality of the circumstances.
- 2. **Child Sexual Abuse**. A Covered Individual shall not engage in any behavior that constitutes child sexual abuse as defined by applicable federal or state law.
- 3. **Criminal Disposition**. Registered sex offenders cannot be present or participate in events where minors will be present or registered to compete. Failure by a US Chess member to adhere to this requirement will be considered a violation of the terms and conditions of membership and result in immediate revocation of membership.
- 4. **Other**. A Covered Individual shall not engage in any other form of sexual misconduct, including, but not limited to, Bullying Behaviors, or Hazing of a sexual nature.

# **B.** Bullying

Bullying is repeated and/or severe aggressive behavior between two or more people that is intended or likely to hurt, control, or diminish another person emotionally, physically or sexually. Bullying can occur between Minors, between Adults, and between Minors and Adults. What constitutes bullying is based on the perception of the victim, bystanders, or witnesses, but not the alleged perpetrator of the bullying activity.<sup>1</sup>

### 1. Forms of Bullying.

- **a. Physical.** Examples may include, without limitation: hitting, pushing, punching, beating, biting, striking, kicking, choking, spitting, slapping, or throwing objects at another person.
- **b. Verbal.** Examples may include, without limitation: teasing, ridiculing, taunting, name-calling, intimidating, or threatening to cause someone harm.
- c. Social, including Cyber-bullying. Examples may include, without limitation: using rumors or false statements about someone to diminish that person's reputation; using electronic communications, including, but not limited to, social media, or other technology to harass, frighten, intimidate, or humiliate someone; and/or, socially excluding someone and asking others to do the same.
- **d. Gender.** Examples may include, without limitation: teasing, ridiculing, or taunting based on gender or sexual orientation (real or implied), gender identity, gender traits or behavior, or teasing someone about their looks or behaviors as it relates to sexual attractiveness.
- 2. **Criminal Conduct**. Bullying behavior includes any conduct described as bullying under applicable federal and state law.

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<sup>&</sup>lt;sup>1</sup> This document also addresses bullying-like behavior among adults under other forms of misconduct such as Hazing and Harassment.

3. Rude, Mean and Conflict – distinguished from bullying. Rude, hurtful behavior that is inadvertent, or that arises out of conflict or struggle where no power imbalance is present, might not be rise to the level of bullying behavior.

#### C. Hazing

Hazing is any conduct that subjects another person, whether physically, mentally, emotionally, or psychologically, to anything that may endanger, abuse, humiliate, degrade, or intimidate the person as a condition of joining or being socially accepted by a group, team or organization. Consent, purportedly given, by the person subject to Hazing is not a defense, regardless of the person's perceived willingness to cooperate or participate. US Chess prohibits any act or conduct that constitutes hazing under applicable federal or state law.

# 1. Examples of Hazing.

- **a.** Contact Acts. Examples may include, without limitation: tying, taping, or otherwise physically restraining another person; beating, paddling, or other forms of physical assault.
- b. Non-Contact Acts. Examples may include, without limitation: 1) Requiring or forcing the consumption of alcohol, illegal drugs, or other substances in an effort to elicit a negative physiological response, including, but not limited to, participation in binge drinking and drinking games; 2) personal servitude; requiring social actions (e.g. wearing inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule; 3) excessive training requirements demanded of only particular individuals on a team that serve no reasonable or productive training purpose; 4) sleep deprivation; 5) otherwise unnecessary schedule disruptions; 6) withholding of water and/or food; and, 7) restrictions on personal hygiene.
- c. Sexualized Acts. Actual or simulated Sexual Conduct of any nature.
- 2. **Criminal acts.** Any act or conduct that constitutes hazing under applicable federal or state law.

#### D. Harassment

Harassment is repeated and/or severe conduct that: 1) causes fear, humiliation or annoyance; 2) offends or degrades; 3) creates a hostile environment; 4) reflects discriminatory bias in an attempt to establish dominance, superiority, or power over an individual or group based on age, gender, sexual orientation, gender expression, gender identity, race, ethnicity, culture, religion, national origin, or mental or physical disability; or, 5) any act or conduct described as harassment under applicable federal and state law. Whether conduct is harassing depends on the totality of the circumstances, including, but not limited to, the nature, frequency, intensity, location, context, and duration of the behavior.

1. **Forms.** Harassment, which may be a form of Emotional, Physical or Sexual Misconduct, includes but is not limited to:

- **a. Discriminatory Harassment.** Conduct with the design or effect of establishing dominance, superiority, or power over an individual or group based on age, sex, race, color, ethnicity, culture, national origin, religion, sexual orientation, gender expression, gender identity, or mental or physical disability.
- **b. Stalking.** Conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress. Stalking generally involves a course of conduct that includes two or more acts involving persistent and frequent unwanted in-person contact, surveillance, or unwanted telephone and/or other electronic contact.
  - Examples of Stalking behavior include, without limitation: 1) following a person; 2) appearing at a person's home, class, work, or practice; 3) frequent phone calls, emails, or text messages; 4) continuing to contact a person after receiving requests to stop; 5) leaving unwanted written messages, objects, or gifts; 6) vandalizing a person's property; 7) threatening, intimidating, or intrusive behavior; and, 8) violating a lawful order preventing contact with a person.
- **c. Sexual Harassment.** Conduct that includes: 1) sexual advances, requests for sexual favors, or other verbal or physical behaviors of a sexual nature; or, 2) is sufficiently severe, persistent or pervasive and objectively offensive that it negatively affects an individual's performance.

#### E. Emotional Misconduct

Emotional Misconduct is repeated and/or severe non-contact behavior involving: 1) Verbal Acts, 2) Physical Acts, and/or 3) Acts that Deny Attention or Support. Emotional Misconduct is determined by the objective behaviors, not whether harm is intended or results from the behavior.

- 1. **Examples of Emotional Misconduct.** Examples of Emotional Misconduct may include, without limitation:
  - **a.Verbal Acts.** Verbal assault that repeatedly attacks someone personally; repeatedly and excessively yelling at a particular person or participant in a manner that serves no productive training or motivational purpose.
  - **b. Physical Acts.** Physically aggressive behaviors, such as throwing equipment, water bottles or chairs at or in the presence of others; punching walls, windows, or other objects.
  - **c.**Acts that **Deny** Attention or **Support.** Ignoring or isolating a person for extended periods of time, including, but not limited to, routinely or arbitrarily excluding a participant from practice.
  - **d.** Exclusions. Emotional Misconduct does not include professionally accepted and age-appropriate coaching methods for skill and performance enhancement, physical conditioning, team building, or appropriate discipline.
  - **e.Criminal Conduct.** Emotional Misconduct includes any act or conduct (e.g., psychological abuse, emotional abuse, mental abuse, child abuse) that can be described as emotional abuse under applicable federal and state law.

## F. Physical Misconduct

Physical Misconduct is any contact or non-contact conduct that causes or reasonably threatens to cause physical harm to another person.

- 1. **Examples.** Examples of Physical Misconduct may include, without limitation:
  - **a.** Contact violations. Punching, beating, biting, striking, choking, or slapping another person; or, intentionally hitting another person with objects (e.g., throwing chess pieces or a chess clock at someone).
  - **b. Non-contact violations.** Isolating a person in a confined space, such as: 1) locking someone in a small space; 2) forcing or coercing a person to assume a painful stance or position (e.g., requiring someone to kneel on a hard surface); 3) withholding, recommending against, or denying adequate food, water, medical attention, or sleep; 4) providing alcohol to a person under the applicable legal drinking age; or, 5) providing illegal drugs or non-prescribed medications to another person.
  - **c.** Criminal conduct. Physical misconduct includes any act or conduct described as physical abuse or misconduct under applicable federal and state law (e.g. child abuse, child neglect, assault).
  - **d.** Exclusions. Physical Misconduct does not include professionally accepted coaching methods or appropriate discipline.

# IV. Mandatory Training & Education

US Chess requires all US Chess-certified Tournament Directors (TDs) to take the authorized core training from the U.S. Center for SafeSport before they can be certified by US Chess. Annual refresher training will then be required to continue their certification. This policy applies to people who already hold Tournament Director credentials and those who are seeking certification. No training substitutes will be considered. US Chess reserves the right to require additional individuals or groups of people to complete this training.

#### V. Mandatory Background Screening

US Chess requires background screening for all US Chess National Event Staff and Volunteers. *Background Screening shall occur at least every three years* for each person screened. Screening shall be conducted by US Chess using a reputable service. The cost of screening will be borne by US Chess for people working at events run directly by US Chess. US Chess reserves the right to require additional individuals or groups of people to undergo background screening at US Chess or the individual's/group's expense.

### VI. Responding to An On-Site Incident

For events run directly by US Chess, the Senior Authority is the US Chess Director of Events. For events run by US Chess Affiliates, the Senior Authority is the Principal Organizer or Chief Tournament Director.

If the Senior Authority receives a report of misconduct, the safety, welfare, and privacy of the offended person are paramount considerations. After ensuring the offended person is safe (e.g., away from the alleged perpetrator(s)), if the Senior Authority believes the alleged behavior may be unlawful, the Senior Authority shall immediately contact local authorities and request their assistance. The Senior Authority shall not investigate the incident if that investigation has the potential to interfere with a possible law enforcement investigation or criminal prosecution. US Chess reserves the right to suspend an individual's participation in any US Chess sanctioned/rated event until said investigation has concluded.

During the conduct of a US Chess sanctioned/rated event, if the event Organizer or member of the Event Staff witnesses or becomes aware of potential misconduct—whether reported by the victim or not—the Senior Authority on-site shall respond as outlined below.

#### 1. Control the Situation.

- a. Protect the Victim. When an incident occurs, the Senior Authority's first responsibility is to take reasonable measures to ensure the person or persons targeted by the alleged inappropriate conduct is/are safe and protected from further possible abuse. The Senior Authority shall take reasonable measures to ensure no further contact occurs between the victim(s) and the alleged perpetrator(s) including, but not limited to, physical contact, visual (eye) contact, verbal contact, contact through a surrogate, or contact by electronic means (e.g., text messaging, email, etc.).
- **b.** Isolate the Alleged Perpetrator. The Senior Authority should also take reasonable measures to isolate the alleged perpetrator by asking the person to *remain in a certain area within the venue*, or to *leave the venue altogether*.
- 2. **Contact Local Authorities.** After ensuring the victim is insulated from further abuse, the Senior Authority's next responsibility is to notify local law enforcement (e.g., police) and the leadership of the venue. If the local authority decides to intervene, the event Senior Authority shall follow the local authority's specific instructions.
- 3. **Report the Incident to the US Chess Office.** Once the situation is under control and the local authority has been notified, the Senior Authority shall notify the US Chess Safe Play representative on site by phone as soon as possible.
  - **a.** <u>If Local Authorities Act on the Case</u>: The Senior Authority shall follow any specific instructions provided by the local authorities and request point-of-contact information from the investigating officer/authority. This may include suspending any US Chess investigation of the matter.
  - **b.** <u>If Local Authorities Decline to Act</u>: A report of a violation may be made to US Chess using the methods of reporting outlined below.

### VII. Reporting

US Chess requests that any person who has credible information about alleged misconduct, mistreatment, or behavior that conflicts with the Policy to report the alleged misconduct, mistreatment, or behavior as described in this section. A "person with credible information"

is someone who has first-hand knowledge or reliable information from a knowledgeable third party.

## A. How to Report Alleged Violations to US Chess after an Event

- Persons who have been offended or those who have witnessed forms of prohibited conduct addressed in the Policy may report it to US Chess by any of the three methods described below. Alleged violations of the Policy ARE NOT the same as other forms of player misconduct—e.g., cheating or violations of the Rules of Chess—which have separate and distinctly different reporting procedures.
  - a. US Chess Misconduct Hotline (314-661-9500, ext. 8): It is ONLY for reporting alleged misconduct addressed in the Policy, and not for reporting violations of the *Rules of Chess* or issues that would otherwise be submitted through the US Chess complaints or claims process. The report can be anonymous, but anonymity makes it more difficult to investigate the matter. While US Chess recognizes how difficult it may be to report an allegation of misconduct, we strongly encourage reporting persons to include their contact information.
  - **b. Email:** Emails covering forms of conduct addressed in the Policy shall be sent to <a href="mailto:abuse@uschess.org">abuse@uschess.org</a>. This email address shall not be used to report violations of the *Rules of Chess* or issues that would otherwise be submitted through the US Chess complaints or claims process.
  - a. Misconduct Reporting Form: Use this form to report misconduct:
     Safe Play Misconduct Report Form.
- 2. **Point of Contact for Questions.** Please contact the US Chess Office at 314-661-9500. When calling, ask to speak with US Chess' Director of Operations or US Chess Executive Director. E-mails should be sent to <a href="mailto:abuse@uschess.org">abuse@uschess.org</a>.
- 3. False, Malicious, or "Bad Faith" Reports. Deliberately false, malicious, or vindictive reports of misconduct are prohibited and may violate applicable state and federal criminal laws, civil defamation laws, and US Chess policies. A person who deliberately submits a false report may be subject to an Ethics complaint.
- 4. **Retaliation.** US Chess will consider any form of Retaliation to be a violation of the Guidelines and the US Chess *Code of Ethics*.
- 5. Further Resources. Safe Play Resources on US Chess website.

# **B.** Mandatory Reporting

- 1. US Chess shall report alleged violations of the Policy to law enforcement or other applicable government authorities as required by law. US Chess will cooperate with law enforcement and may also provide some or all its case information, documentation, or evidence to law enforcement.
- 2. US Chess reserves the right to suspend any individual who is the subject of an investigation from participation in any US Chess sanctioned/rated event until said investigation has concluded.

#### VIII. Authority and Process

- A. US Chess shall address violations or alleged violations of any provision(s) of the Policy or any other current US Chess policy at its discretion, in consideration of the safety, wellbeing and privacy of all parties, and in accordance with US Chess Codes of Conduct and US Chess bylaws. Such action shall be taken in proportion to the severity of the infraction.
- B. US Chess shall determine, in its discretion and in consultation with its legal counsel, the appropriate steps to address the conduct based on several factors, including, but not limited to, (i) the age of the complainant or victim, (ii) the age of the accused, and (iii) the nature, scope, and extent of the allegations. As appropriate, US Chess may involve the Section, Club, or other legal entity having authority within the territory of the alleged complaint. If the accused individual is a Minor, US Chess shall contact their parents or guardians unless the circumstances surrounding the allegations reasonably suggest otherwise.
- C. US Chess shall address allegations against a staff member and/or volunteer under relevant organizational Policy (e.g., US Chess' Employment Policies and Procedures, US Chess' Bylaws and US Chess' Constitution, and applicable federal and state laws).
- D. US Chess reserves the right to suspend any individual who is the subject of an investigation from participation in any US Chess sanctioned tournament, event, or program until said investigation has concluded. A member can be placed on temporary suspension while a law enforcement investigation is pending if it is deemed that the violation impacts the health and safety of other members, participants, or spectators.
- E. The US Chess Executive Director has the authority to prepare, revise, maintain, and implement administrative procedures to process formal complaints made pursuant to these Policy. The final authority to suspend or revoke membership lies with the Executive Board.
- F. Substantive Standards and Procedural Rules
  When the alleged conduct by a Participant occurred before the effective date of the Safe
  Play Policy, US Chess may apply other substantive standards in effect at the time of the
  conduct that are analogous to Prohibited Conduct, including then effective criminal laws
  or previous standards promulgated by US Chess. However, in all cases, these resolution
  procedures will be used to investigate and resolve matters, regardless of when the
  incident of Prohibited Conduct occurred.
- G. Statute of Limitations or Other Time Bars
  As past conduct informs current fitness, no criminal, civil, or rules-based statutes of limitations or time bars of any kind prevent US Chess from investigating, assessing,

considering, and adjudicating any relevant misconduct regardless of when it occurred.

# H. Appeals Process

In the event that the Executive Board revokes or suspends the membership of a respondent for Safe Play violations, it shall follow US Chess Bylaws regarding Revocation of Membership. Respondents aggrieved by the Executive Board's Safe Play decision may also follow the process set forth in US Chess Bylaws to appeal.

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# Appendix A. **Definitions**

Term	Definition
Bullying	See Section III(B) of this document
Chief TD	The Tournament Director (or Arbiter) of record for the tournament
Club	A group of chess players officially recognized by a school, school district, or US Chess and who regularly meet in a specific location (e.g. school, library, mall food court, hotel) to play chess for casual and/or competitive purposes
Code of Ethics	Refers to The Code of Ethics published by US Chess
Consent	Freely given agreement by all people involved. As it relates to Sexual Conduct, consent requires words or actions by a person who is legally and functionally competent to give informed permission for specific sexual activity. Consent to any one form of sexual activity does not automatically imply consent for any other forms of sexual activity. Previous relationships or prior consent does not imply consent to future sexual activity. Once given, consent can be withdrawn through clear communication. Consent does not exist if a person does not give consent, or is unable to consent, or inability to refuse consent exists.
Covered Adult	A covered Individual who is 18 years of age or older, or as defined by applicable state law
Covered Individual	See Section II(A) of this document
Covered Minor	A Covered Individual who is under the age of 18
Criminal Disposition	Any disposition of a criminal proceeding, other than an adjudication of not guilty, including, but not limited to, an adjudication of guilt or admission to a criminal violation; a plea to a lesser included offense; a plea of no contest; or the disposition of the proceeding through a diversionary program, deferred adjudication, disposition of supervision, conditional dismissal, or similar arrangement
Discriminatory Harassment	See Section III(D) of this document
Emotional Misconduct	See Section III(E) of this document

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Term	Definition
Event Spectator	Persons not participating in the tournament as players, but are attending for the purpose of observing the on-going games or for providing support to the event or one or more participants
Force	The use or threat of physical force that overcomes free will or resistance
Grooming	The process whereby a person engages in a series or pattern of behaviors with a goal of engaging in sexual misconduct. Grooming is initiated when a person seeks out a vulnerable minor. Once selected, offenders will then earn the minor's trust, and potentially the trust of the minor's family. After the offender has engaged the minor in sexually inappropriate behavior, the offender seeks to maintain control over him/her. Grooming occurs through direct, in-person and/or online contact
Harassment	See Section III(D) of this document
Hazing	See Section III(C) of this document
Inability to Refuse	Exists when effective Consent cannot be given because of the use of Coercion, Force, Intimidation, or creating or misusing a Power Imbalance
Intimidation	Implied threats or acts that reasonably cause a fear of harm in another
Intimate Relationship	A close personal relationship that exists independently and outside of the sport relationship. Whether a relationship is intimate is based on the totality of the circumstances, including, but not limited to, regular contact and/or interactions outside of or unrelated to the sport relationship (electronically or in person), the parties' emotional connectedness, the exchange of gifts, ongoing physical contact and/or Sexual Conduct, identity as a couple, the sharing of sensitive personal information, and/or knowledge about each other's lives outside the sport relationship
Medical Service Staff	Trained and certified medical personnel to include, but not limited to Emergency Medical Technicians, Nurses, or Medical Doctors
Minor	An individual under 18 years of age, or of Minor age as defined by applicable state law
Organizer	The person responsible for organizing the tournament
Physical Misconduct	See Section III(F) of this document

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Term	Definition
Player	A person officially registered as a chess-playing participant in the tournament
Playing Area	The area where the games are being played, as well as, designated spectator areas adjacent to the area where the games are being played. Depending on the floor play, the Playing Area also may include hallways and restrooms between the rooms where games are being played
Playing Hall Monitor	An adult, appointed by the Organizer, who is responsible for overseeing a particular portion of the Playing Area (e.g. Spectator Areas, restrooms, hallways adjacent to the playing rooms)
Position of Power	Exists when one person has direct supervisory, evaluative, or other authority over another person. For example, a person who may be in a Position of Power includes someone such as a coach, boss, higher-ranking employee, or medical personnel
Power Imbalance	<ol> <li>May exist under two conditions:</li> <li>Where, based on the totality of the circumstances, one person has supervisory, evaluative, or other authority over another.</li> <li>Based on the totality of the circumstances, including, but not limited to, whether there is an aggressor, and/or a significant disparity in age, size, strength or mental capacity</li> </ol>
Principal Organizer	See Organizer
Reporting Individual or Party	The person or persons alleging a violation of this document's code
Responding Individual or Party	The person or persons alleged to have violated this document's code
Retaliation	3. Any adverse action taken by a covered individual against a person participating in a US Chess event. Retaliation by a Covered Individual against a person for making an allegation, supporting a Reporting Party, or providing information relevant to an allegation is a serious violation of the codes set forth in this document
Rules of Chess	The official document published by US Chess that prescribes the rules used for playing chess
Section	A sub-category of chess play within a tournament (e.g. the Under Age 16 section, or the Championship Section)
Senior Authority	This is the most senior US Chess employee (e.g. the Director of Events or the Chief Tournament Director) on site for a US Chess National Event. When the event is being conducted by a US Chess Affiliate, then the Organizer or Chief Tournament Director is the Senior Authority
Sexual Conduct	Contact and non-contact behaviors of a sexual nature
Sexual Harassment	See Section III(D) of this document

FINAL: Dec. 28, 2023 EB Approved

Term	Definition
Sexual Misconduct	Sexual Misconduct includes, but is not limited to:
	1. Sexual or Gender-related Harassment
	2. Nonconsensual Sexual Contact (or attempts to
	commit the same)
	3. Nonconsensual Sexual Intercourse (or attempts
	to commit the same)
	4. Sexual Exploitation
	5. Exposing a Minor to Sexual Content/Imagery
	6. Sexual Bullying Behavior
	7. Sexual Hazing
	8. Other Inappropriate Conduct of a Sexual Nature.
Stalking	See Section III(D) of this document
Third-party Organizer	Organizer who has been awarded a US Chess National Event through US Chess formal bidding process
Third-party Reporter	A person who reports or discloses a possible violation of the Code, if not the reporting individual or party
Third-party Reports	Reports or disclosures of a possible violation of the Code brought forth by a person other than a reporting individual or party
US Chess	United States of America Chess Federation
US Chess National Event	A chess tournament recognized by US Chess as a National-level championship