

U.S. Paralympics
ATHLETE SELECTION PROCEDURES
2012 Paralympic Games
CYCLING

November 17, 2010 - Amended August 22, 2011

I. SELECTION SYSTEM

A. Provide the minimum eligibility requirements for an athlete to be considered for nomination to the Team:

1. Citizenship:

Athletes must be a citizen of the United States at the time of selection and hold a valid U.S. passport that will not expire for six months after the conclusion of the competition.

2. Minimum International Federation (IF) standards for participation (if any):

- a. Each athlete must hold a current UCI International Cycling racing license (www.usacycling.org).
- b. Athletes must be at least 18 years of age as of December 31st 2012.
- c. The USA may enter up to three (3) athletes in each individual event offered at the 2012 London Paralympic Games.
- d. Athletes must have competed in at least one international UCI Para-Cycling competition between 1 January 2010 and 15 June 2012.

3. Other requirements (if any):

a. At the time of nomination an athlete must have an IPC/UCI International Classification with an international sport class status of R-Review or C-Confirmed, or if there has been no opportunity for the athlete to be internationally classified, the athlete must be evaluated by USOC medical and /or Paralympic staff and determined likely to classify in the sport class in which he/she would be qualified for the Team; provided that athletes with an international sport class status of N-New are allowable for entry on the official team nomination into this competition. A description of sport-specific classification requirements and current athlete classification status can be found at the UCI website at www.uci.ch.

B. Tryout Events:

1. Provide the event names, dates and location of all trials, events and camps to be used as part of the selection process.

2011 UCI Para-Cycling Road World Championships
September 5 - 12, 2011
Roskilde, Denmark

2012 UCI Para-Cycling Track World Championships
February 10 - 12, 2012

Los Angeles, California

2012 USA Cycling Elite, U23 & Junior Road Championships
June 19 – 24, 2012
Augusta, GA

2. Provide event names, dates, locations and description of how athletes qualify for any “preliminary or qualifying” events or procedures that are prerequisites to attend any of the trials, events or camps listed above in B. 1 (if any).

Athletes will be selected to the 2011 UCI Para-Cycling Road World Championships and 2012 UCI Para-Cycling Track World Championships based on the Selection Procedures posted at www.usparalympics.org.

- C. Provide a comprehensive, step-by-step description of the method that explains how athletes will go through the selection process to become Team nominees (including maximum Team size).

Team Size: U.S. Paralympics Cycling will field the designated team size allocated by the IPC/UCI. The final team will be determined by implementing the selection criteria detailed herein.

Men’s and Women’s slots will be allocated separately by the IPC/UCI, therefore for purposes of these Procedures, the men’s and women’s components of the Team shall be considered separately.

Team slots will be filled with corresponding Start Rights in the qualifying Event. The U.S. may enter a maximum of three (3) athletes in a sport class in each Event. The USOC will receive slot allocations from the IPC by March 12, 2012.

1. Any athlete invited by name by the IPC/UCI will be selected to the Team provided he or she meets all eligibility provisions and other requirements set forth in these Procedures.
2. Slots that have been restricted to athletes of a specific sport class (“ring-fenced”) will be filled in the following order:
 - a. Athletes who won two or more medals (ranked, if necessary in order of number of gold medals, then number of silver medals, then number of bronze medals) at the 2011 UCI Para-Cycling Road World Championships or the 2012 UCI Para-Cycling Track World Championships in an individual non-factored event that’s on the program for the 2012 London Paralympic Games.
 - b. Athletes who won a gold medal at the 2011 UCI Para-Cycling Road World Championships or the 2012 UCI Para-Cycling Track World Championships in an individual non-factored event that’s on the program for the 2012 London Paralympic Games.
 - c. Athletes who won a silver medal at the 2011 UCI Para-Cycling Road World Championships or the 2012 UCI Para-Cycling Track World Championships in an individual non-factored event that’s on the program

- for the 2012 London Paralympic Games.
- d. Athletes who won a bronze medal at the 2011 UCI Para-Cycling Road World Championships or the 2012 UCI Para-Cycling Track World Championships in an individual non-factored event that's on the program for the 2012 London Paralympic Games.
 - e. If ring-fenced slots still remain, those slots will be filled using the Discretionary Selection criteria described in Section II.
3. Up to 50% of the remaining unrestricted slots (those not ring-fenced) will be filled by athletes who won a gold medal at the 2011 UCI Para-Cycling Road World Championships or 2012 UCI Para-Cycling Track World Championships in an individual non-factored event that's on the program for the 2012 London Paralympic Games.
 - a. If necessary to break a tie among two or more athletes for the final Team slot under this selection, the athlete with the next best result from the 2011 UCI Para-Cycling Road World Championships or 2012 UCI Para-Cycling Track World Championships will receive that Team slot.
 - b. If a tie still exists among two or more athletes for the final Team slot under this selection, the High Performance Director, U.S. Paralympics Cycling will determine which athlete receives that slot based on who has the best chance of winning a medal or contributing to a team event (H1-4 Team Relay or Team Sprint).
 4. After the above athletes have been selected, up to two (2) male slots and two (2) female slots may be filled using the Discretionary Selection criteria described in Section II. Discretionary selections to the team will be made with the assignment of one or more Start Rights.
 5. After discretionary selections are made, one male athlete and one female athlete will be nominated to the team (as long as enough slots are available) based on individual results from the 2012 UCI Para-Cycling Track World Championships in Los Angeles, CA February 10 - 12, 2012.
 - a. Athletes who won two or more medals (ranked, if necessary in order of number of gold medals, then number of silver medals, then number of bronze medals) at the 2012 UCI Para-Cycling Track World Championships in an individual non-factored event that's on the program for the 2012 London Paralympic Games.
 - b. Athletes who won a gold medal at the 2012 UCI Para-Cycling Track World Championships in an individual non-factored event that's on the program for the 2012 London Paralympic Games.
 - c. Athletes who won a silver medal at the 2012 UCI Para-Cycling Track World Championships in an individual non-factored event that's on the program for the 2012 London Paralympic Games.
 - d. Athletes who won a bronze medal at the 2012 UCI Para-Cycling Track World Championships in an individual non-factored event that's on the program for the 2012 London Paralympic Games.
 - e. If necessary to break a tie among two or more athletes for the final Team slot under this selection, the High Performance Director, U.S. Paralympics Cycling will determine which athlete receives that slot based on who has the best chance of winning a medal or contributing to a team event (H1-4 Team Relay or Team Sprint).
 6. As long as slots are still available, up to two male athletes and two female athletes will be nominated to the team based on results from the 2012 USA Cycling Elite, U23 & Junior Road Championships in Augusta, GA June 19 - 24, 2012. Nominations will be based on results in the Road Time Trial.

- a. All finish times will be converted to a “Result” by expressing it as a percentage of the 2012 U.S. Paralympics National Standard (Attachment A) for that event. (An event refers to the competition within a Paralympic racing classification – e.g. the Men’s C5 Time Trial). All results will be rounded to the nearest one tenth of a percent. Lower percentages are better than higher percentages (97% beats 99% beats 103%).

$$\text{Result} = (\text{finish time}/\text{National Standard}) \times 100$$

- b. The nomination ranking list (“Ranking List”) will include all Results for all athletes, ordered from lowest percentage (best) to highest percentage. Athletes already nominated based on criteria above will not be shown on the final team selection ranking list.
 - c. The top two male athletes on the Ranking List and the top two female athletes on the Ranking List will be nominated to the team (as long as enough slots are available).
 - d. If necessary to break a tie among two or more athletes for the final Team slot under this selection, the High Performance Director, U.S. Paralympics Cycling will determine which athlete receives that slot based on who has the best chance of winning a medal or contributing to a team event (H1-4 Team Relay or Team Sprint).
- 7. If slots remain, those slots will be filled using the Discretionary Selection criteria as described in Section II.
 - 8. Once the Team slots have been filled, the High Performance Director, U.S. Paralympics Cycling may assign remaining Start Rights, including Start Rights in the Team Sprint and H1-4 Team Relay, at his discretion to athletes already qualified for the Team based on:
 - a. 2011 and 2012 performances in the Event;
 - b. Each athlete’s number and schedule of Events at the Paralympic Games;
 - c. The likelihood of the athlete winning a medal in the Event or in other Events; and
 - d. The desire of the athlete to start in the Event.

- D. Provide the names of all committees/groups who oversee the selection process, including the names and titles of the current members.

Craig Griffin – High Performance Director, U.S. Paralympics Cycling
 Julie O’Neill – Team Leader, USOC Sport Performance
 Jamie Martin –National Teams Manager, USOC Sport Performance
 Pam Fernandes – Athlete Representative

II. DISCRETIONARY SELECTION (if applicable)

- A. Provide rationale for utilizing discretionary selection (if any):

The purpose of discretionary selection is to allow U.S. Paralympics the ability to nominate the best physically, psychologically, and technically prepared athletes to the 2012 London Paralympic Games Team who are capable of a top three (podium) result, who can positively impact team performance, or those who are considered to be on track to produce a top three result in the near future.

The U.S. Paralympics Discretionary Selection Committee for Cycling will evaluate and recommend athletes to be nominated to the team via discretionary criteria, in order to field the strongest, most sound, and medal-capable team for the 2012 London Paralympic Games.

B. List the discretionary criteria and explain how they will be used (if any):

Performance criteria used to evaluate athlete performance for discretionary selection are as follows.

1. The athlete(s) experienced an injury or illness that impeded maximal performance in one or more of the qualification competitions;
2. The athlete(s) experienced equipment failure, weather, interference, or other external factors, either natural or caused by others, that impeded what otherwise likely would have been a qualifying result;
3. The athlete is the current world record holder in the event for which he/she is being nominated;
4. The athlete won a medal in the event at the 2012 UCI Para-Cycling Track World Championships, 2011 UCI Para-Cycling Road World Championships, 2011 UCI Para-Cycling Track World Championships, 2010 UCI Para-Cycling Road World Championships, 2009 UCI Para-Cycling Track World Championships, or 2009 UCI Para-Cycling Road World Championships;
5. The athlete is one of the top two ranked Americans in the UCI athlete Ranking list for their respective disability class as of February 13, 2012;
6. The athlete met a 2012 U.S. Paralympics National Team Standard in 2012 prior to the 2012 team selection event;
7. The athlete is eligible and is likely to fill a position in the H1 - 4 Team Relay or Team Sprint;
8. An athlete who demonstrates a trend of improving performance in international competition, that when extended a reasonable distance into the future, intersects the current international performance standards for a top three (podium) finish.

C. Discretionary Selection Committee

Provide the name of the committee that will be responsible for making discretionary selections, along with a complete list of the members currently serving on the committee and their titles:

See I.D. above.

III. REMOVAL OF ATHLETES

A. Prior to acceptance of nominations by the USOC, U.S. Paralympics has jurisdiction over potential nominees.

An athlete who is to be nominated to the Team by U.S. Paralympics may be removed as a nominee for any of the following reasons, as determined

by U.S. Paralympics:

- Voluntary withdrawal. Athlete must submit a written letter to the Director, Cycling High Performance.
- Injury or illness as certified by an approved U.S. Paralympics physician (or medical staff). If an athlete refuses verification of his/her illness or injury by an approved U.S. Paralympics physician (or medical staff), his/her injury will be assumed to be disabling and he/she may be removed.
- Violation of the U.S. Paralympics Code of Conduct (Attachment B).

An athlete who is removed from the Team pursuant to this provision has the right to a hearing per the USOC's Bylaws, Section 9.

- B. After acceptance of nominations by the USOC, the USOC has jurisdiction over the Team under the USOC Code of Conduct and Grievance Procedures. This occurs no earlier than 45 days and no later than 30 days prior to the Opening Ceremonies of the Games (unless expressly waived by the USOC).

A Team member who is accepted by the USOC is subject to the USOC Code of Conduct and Grievance Procedures.

- C. An athlete may be removed as a nominee to the Team or from the Team at any time for violation of IOC, PASO, IPC, WADA, IF, USADA and/or USOC anti-doping protocol, policies and procedures, as applicable. In such instances, the adjudication process will be managed through the United States Anti-Doping Agency.

IV. REPLACEMENT OF ATHLETES

- A. Describe the process by which the replacement pool of athletes will be identified:

The replacement pool of athletes will be those athletes on the Ranking List from the 2012 USA Cycling Elite, U23 & Junior Road Championships described in Section I.C.6 above ("Replacement Ranking List").

- B. Describe how the replacement athlete(s) will be selected, should a vacancy occur:

- i. prior to acceptance of nominations by the USOC:

If an athlete nominated to the Team is removed from the Team by any of the

provisions above, athletes on the Replacement Athlete List will be considered for nomination first using the published procedures for selection in I.C.6. The next eligible athlete from the Ranking List will be nominated to the Team.

- ii. after acceptance of nominations by the USOC:

No athletes will be replaced after acceptance of nominations by the USOC.

- C. Identify the group or committee that will be responsible for making athlete replacement determinations:

- i. Group or committee who determines the replacement pool:

N/A

- ii. Group or committee who determines a replacement to the Team:

- a. prior to acceptance of nominations by the USOC:

N/A

- b. after acceptance of nominations by the USOC:

N/A

V. SUPPORTING DOCUMENTS

U.S. Paralympics will retain the approved Selection Procedures and all supporting documents, including scouting or evaluation forms, etc., and data from the selection process for six months past the date of the Closing Ceremonies of World Championships.

VI. REQUIRED DOCUMENTS

The following documents are required to be signed by an athlete as a condition of nomination to the World Championships Team and are included as attachments:

- USOC Code of Conduct for U.S. Paralympics National Teams and Paralympic Programs (Attachment B)
- USOC Complaint Procedures for U.S. Paralympics National Teams and Paralympic Programs (Attachment C)

VII. PUBLICITY/DISTRIBUTION OF PROCEDURES

The USOC approved Selection Procedures (complete and unaltered) will be posted/published by U.S. Paralympics in the following locations and will include the USOC approval date:

- A. U.S. Paralympics Web site: www.usparalympics.org These procedures will be posted as soon as possible, but not more than five business days following notice of approval by the USOC.
- B. U.S. Paralympics Official Publication (if any):
N/A
- C. Other:
Copies of these procedures will be available upon request in print or electronic format from the U.S. Paralympics office at the USOC (719-866-2030).

VIII. DATE OF NOMINATION

The Nomination of Athletes form, including replacements, will be announced to all athletes and submitted to the USOC on: ~~June 23~~, 2012.

IX. MANDATORY TRAINING AND/OR COMPETITION

Specify the location, schedule and duration of mandatory training and/or competition:

Final selections for additional mandatory training camps and competitions will be based upon the nominated athletes' participation in 2012 U.S. Paralympics training camps and final preparation activities approved by the Director, Cycling High Performance (dates and locations TBD). The dates and locations of any mandatory training camps will be announced no later than 30 days prior to the camp start dates. The information will be posted on the U.S. Paralympics website at www.usparalympics.org.

X. ANTI-DOPING REQUIREMENTS

Athletes must adhere to all IOC, IPC, PASO, WADA, IF, USADA and USOC anti-doping protocols, policies and procedures, as applicable. This includes participation in Out-of-Competition Testing as required by the IOC, IPC, PASO, WADA, IF, USADA and USOC Rules, as applicable.

XI. DEVELOPMENT OF SELECTION PROCEDURES

The following committee/group (include names and titles) was responsible for creating these Selection Procedures:

Craig Griffin – High Performance Director, U.S. Paralympics Cycling
Julie O’Neill – Team Leader, USOC Sport Performance
Jamie Martin – National Teams Manager, USOC Sport Performance
Jessica Galli – Paralympic AAC Representative

XII. NGB/PSO BYLAWS AND GRIEVANCE PROCEDURES

The USOC Complaint Procedures for U.S. Paralympics National Teams and Paralympic Programs are included with this document as Attachment C.

XIII. INTERNATIONAL DISCLAIMER

These procedures are based on IOC, IPC, PASO, as applicable, and/or UCI rules and regulations as presently known and understood. Any change in the selection procedures caused by a change in IOC, IPC, PASO, as applicable, and/or UCI rules and regulations will be distributed to the affected athletes immediately. The selection criteria are based on the latest information available to U.S. Paralympics. However, the selections are always subject to unforeseen, intervening circumstances, and realistically may not have accounted for every possible contingency.

If any force of nature, or force majeure, should cause the alteration or cancellation of any of the selection events listed in this document, these selection procedures will be revised, pursuant to their resubmission to the USOC.

XIV. ATHLETE OMBUDSMAN



Athletes who have questions regarding their opportunity to compete that are not answered by U.S. Paralympics may contact the USOC Athlete Ombudsman, John W. Ruger, by:

- Toll free telephone at (888) ATHLETE (1-888-284-5383)
- E-mail at john.ruger@usoc.org
- www.888athlete.org

XV. NGB SIGNATURES

I certify that I have read, understand and incorporated our IF and/or CF (PAG only), if applicable, standards/criteria into our Selection Procedures and that

the information provided herein regarding Athlete Selection Procedures represents the method approved by U.S. Paralympics.

Position	Print Name	Signature	Date
Chief, U.S. Paralympics	Charlie Huebner		November 18, 2010
Nat. Team Coach, Head Coach, or Nat. Program Director	Craig Griffin		November 18, 2010
USOC Athletes' Advisory Council Representative*	Jessica Galli		

*If USOC AAC Representative has delegated authority to the Alternate AAC Representative to sign the Selection Procedures, attach a letter from the AAC Representative indicating the reason he/she has delegated authority.

*Signature by the AAC Representative constitutes that he/she has read and understands the Selection Procedures and certifies that the Selection Procedures submitted represent the method approved by the NGB/PSO. If the AAC Representative reads and does not agree with the Athlete Selection Procedures being submitted by the NGB/PSO, he/she may submit those reasons in writing to his/her Sport Partnerships Team or U.S. Paralympics representative.

ATTACHMENT A
2012 U.S. Paralympics Cycling Road Standards

The 2012 U.S. Paralympics Cycling Road Standards will be posted following the conclusion of the 2011 UCI Para-Cycling Road World Championships.

ATTACHMENT B

UNITED STATES OLYMPIC COMMITTEE
CODE OF CONDUCT
FOR
U.S. PARALYMPIC NATIONAL TEAMS
AND
U.S. PARALYMPIC PROGRAMS
March 3, 2006

ATHLETE PLEDGE AND AGREEMENT

I pledge to uphold the spirit of this Code of Conduct (the “Code”), which offers a guide to my conduct as a member of a U.S. Paralympics National Team or a U.S. Paralympics Team to international competition (the “Team”). This Code applies to those Paralympic sports in which the USOC has not recognized a National Governing Body or a Paralympic Sport Organization to govern the sport. I acknowledge that I have a right to a hearing if my opportunity to compete is denied or if I am charged with a violation of this Code.

I have familiarized myself with the Code and understand that acceptance of its provisions is a condition of my membership on the Team.

As a Member of the Team, I hereby promise and agree that I:

- will abide by all rules related to the Team selection procedures as approved by the USOC;
- have acted and will act in a sportsmanlike manner consistent with the spirit of fair play and responsible conduct;
- will maintain a level of fitness and competitive readiness that will permit my performance to be at the maximum of my abilities;
- will submit to a physical examination by USOC medical personnel if my ability to compete is compromised due to physical injury, illness or incapacity and I understand that such physical injury, illness or incapacity may be cause for my not being selected to the Team, being removed from the Team, or not being allowed to participate if I remain on the Team.
- will not commit a doping violation as defined by the World Anti-Doping Agency (WADA), the United States Anti-Doping Agency (USADA), the International Paralympic Committee(IPC) or USOC rules;
- am not currently serving a doping violation and/or do not have a pending or unresolved

doping charge;

- will not engage in any conduct that is criminal under any laws applicable to me, including, but not limited to laws governing the possession and use of drugs and alcohol and providing of drugs to any person and of alcohol to minors;
- am eligible to compete under the rules of the IPC and its pertinent committees, and its pertinent member organizations and under the rules of the USOC;
- will refrain from conduct detracting from my ability or that of my teammates to attain peak performance;
- will respect the property of others whether personal or public;
- will respect members of my Team, other teams, spectators and officials, and engage in no form of discriminatory behavior nor in any form of verbal, physical or sexual harassment or abuse;
- will follow the Team rules, whether set by Team leadership or adopted by consensus, including by way of example, rules regarding curfew and required attendance at Team meetings;
- agree to wear the uniforms approved by the USOC at official activities sponsored by the USOC as directed by USOC Paralympics Division staff, and I agree to compete in the USOC-approved Team uniform, where such a uniform is provided, in competitions at which I am supported by the USOC through its Paralympics Division. I agree to wear the names and logos of USOC Paralympic Team sponsors, suppliers and licensees on Team competition wear, other uniforms and casual wear as provided by the USOC through its Paralympics Division. I agree to not alter any Team uniform, either by removing or obstructing the names or logos of USOC Paralympic Team sponsors, suppliers and licensees or by adding patches, stickers, or other means of displaying unauthorized names, logos or messages;
- agree to not demean or defame the USOC or its sponsors, their names, logos, marks, products or services. I acknowledge that endorsing and supporting USOC Paralympic Team sponsors through my actions and words reflects well on the team and on those supporting the team.
- agree to be filmed, videotaped and photographed, and to have my image and voice otherwise recorded, in any media, during the any event I am attending under the auspices of the USOC, by the USOC's official photographer(s), film crew(s) and video crew(s), and by any other entity authorized by the USOC, under the conditions specified by the USOC. I hereby grant the USOC the irrevocable, perpetual, fully paid-up, worldwide right and license to use, and to authorize third parties to use, in all media, my name, picture, likeness, voice and biographical information for: (1) news and information purposes, (2) promotion of the Paralympic movement and the specific competition(s) in which I compete, (3) promotion of the Team, and (4) promotion of the USOC; in no event may the USOC use or authorize the use of my name, picture, likeness, voice and biographical information for the purpose of trade, including any use in a manner that would imply an endorsement of any company, product, or

service, without my written permission.;

- will not use or authorize the use of photographs, films or videos of myself in my USOC or Paralympic Team apparel or equipment or the use of any USOC logo (including, without limitation, any Paralympic logo) for the purpose of trade, promotion, fund raising or on merchandise, without the prior written consent of the USOC;
- will act in a way that will bring respect and honor to myself, my teammates, the Team, the UOSC, and the United States; and
- will remember that at all times I am an ambassador for my sport, my country and the Paralympic Movement.

ATHLETE OMBUDSMAN

I may contact the USOC Athlete Ombudsman, toll free at 888.ATHLETE (888.284.5383), John.Ruger@usoc.org or www.888athlete.org for further information regarding my rights under this Code that are not answered by US Paralympics.

PARTICIPANTS' AFFIRMATION

I have read and accept this Code of Conduct. I agree to the rules, guidelines, jurisdiction and procedures stated in these documents as a condition of being a member of the Team.

Signature

Date

PARENT/GUARDIAN CERTIFICATION (For Participants Under the Age of 18 as of Date of Signature)

Signature

Date

Relationship (Parent or Guardian)

Attachment C

UNITED STATES OLYMPIC COMMITTEE COMPLAINT PROCEDURES FOR U.S. PARALYMPIC NATIONAL TEAMS AND U.S. PARALYMPIC PROGRAMS January 7, 2008

Section 1. Jurisdiction.

These Complaint Procedures are applicable to those Paralympic sports in which the USOC has not recognized a National Governing Body or a Paralympic Sport Organization to govern the sport. Only matters concerning those Paralympic sports fall within the jurisdiction of these Complaint Procedures.

Section 2. Designation of Complaints.

The following kinds of complaints may be filed with the USOC:

- a. **Administrative Grievance.** The USOC or any aggrieved individual may file a complaint pertaining to any matter relating to the cognizance of the USOC, including but not limited to any alleged violation of or grievance concerning any USOC rule, regulation or code of conduct.
- b. **Right to Compete.** Any athlete, coach, trainer, manager, administrator or official may file a complaint pertaining to any alleged denial, or alleged threat to deny, of that individuals opportunity to compete in a USOC sponsored competition.

Section 3. Manner of Filing.

The complainant shall file the complaint with the USOC Chief Executive Officer. The complaint shall set forth in clear and concise language, preferably in numbered paragraphs: (i) the alleged violation, grievance, denial or threat to deny and (ii) the remedy requested. The complainant shall sign the complaint.

Section 4. Statute of Limitations.

A complaint filed under these Complaint Procedures shall be filed within one hundred and eighty (180) days of the occurrence of the alleged violation, grievance, denial or threat to deny.

Section 5. Field of Play Decisions.

The final decision of a referee during a competition regarding a field of play decision (a matter set forth in the rules of the competition to be within the discretion of the referee) shall not be reviewable through the procedures for, or the subject of, Administrative Grievances or Right to Compete Complaints unless the decision is: (i) outside the authority of the referee to make or (ii)

the product of fraud, corruption, partiality or other misconduct of the referee. For purposes of this Section, the term “referee” shall include any individual with discretion to make field of play decisions.

Section 6. Hearing Panel.

Upon the filing of a complaint, the USOC Chief Executive Officer shall appoint a hearing panel consisting of three (3) individuals to hear the complaint. The Chief Executive Officer shall also appoint a chair of the hearing panel from among the three individuals appointed. At least one member of the hearing panel shall be an athlete.

The Hearing Panel shall be responsible to ensure that all complaints are heard in a timely, fair and impartial manner.

Section 7. Administration.

The USOC General Counsel’s Office shall generally administer and oversee all administrative grievances and right to compete matters filed with the USOC.

Section 8. Conduct of the Proceeding.

The hearing panel shall rule on all motions and other matters raised in the proceeding. If the complaint is not dismissed, the hearing panel shall hold a hearing on the complaint. The hearing panel shall set such timelines and other rules regarding the proceeding and the conduct of the hearing as it deems necessary. The hearing shall be informal, except that testimony shall be taken under oath.

The hearing may be conducted by teleconference, if necessary or convenient to the parties. Each party shall have the right to appear personally or through a legal representative. All parties shall be given a reasonable opportunity to present and examine evidence, cross-examine witnesses and to present argument. Members of the hearing panel shall have the right to question witnesses or the parties to the proceeding at any time.

Any party may have a record made of the hearing. A court reporter may be present at the hearing at the request of a party. The court reporter shall be paid for by the party requesting the court reporter, or if mutually agreed, the cost may be equally divided. Any transcript shall be paid for by the party requesting the transcript.

Section 9. Expedited Procedures.

Upon the request of a party, and provided that it is necessary to expedite the proceeding in order to resolve a matter relating to a competition that is so scheduled that compliance with regular procedures would not be likely to produce a sufficiently early decision to do justice to the affected parties, the USOC Chief Executive Officer is authorized to order that the complaint be heard and decided within forty-eight (48) hours of the filing of the complaint. In such a case, the hearing panel is authorized to hear and decide the complaint pursuant to such procedures as are necessary, but fair to the parties involved.

Section 10. Complaints Involving Selection to Participate in a Competition.

Where a complaint is filed involving selection of an individual to participate in a competition, the complainant shall include with the complaint a list of all other individuals, together with their contact information, that may be adversely affected by a decision rendered on the complaint. The hearing panel shall determine which additional individuals must receive notice of the complaint. The complainant shall then be responsible for providing appropriate notice to these individuals. Any individual so notified then shall have the option to participate in the proceeding as a party. If an individual is notified of the complaint, then that individual shall be bound by the decision of the hearing panel even though the individual chose not to participate as a party.

Section 11. Decision.

A decision shall be determined by a majority of the hearing panel. The hearing panel's decision shall be in writing, shall state the reasons for the decision and shall be distributed to the parties.

Section 12. Arbitration.

Any party may appeal a decision of the hearing panel to the American Arbitration Association. The arbitrator appointed by the American Arbitration Association shall have the authority to hear the matter anew or if requested by a party to render a decision on a more limited review. Either party may submit the decision of the hearing panel to the arbitrator for the arbitrator's consideration. The arbitrator may give whatever weight or authority to the hearing panel's decision as the arbitrator deems appropriate.