

**U.S. Paralympics Track & Field
ATHLETE SELECTION PROCEDURES
WPA Marathon Championships
(Marathon Events)
February 15, 2019**

1. SELECTION SYSTEM

1.1. Provide the minimum eligibility requirements for an athlete to be considered for selection to the Team:

1.1.1. Nationality/Passport requirements:

Athlete must be a national of the United States at the time of nomination.

Athlete must hold a valid U.S. passport that will not expire for six months after the conclusion of the WPA Marathon Championships.

1.1.2. Minimum International Paralympic Committee (IPC) and World Para Athletics (WPA) standards for participation:

Any competitor in the World Para Athletics Marathon Championships must be a national of the country of the National Paralympic Committee (NPC) which is entering such competitor. For additional information regarding an athlete who is a national of two or more countries, has changed his or her nationality or acquired a new nationality, refer to the IPC Handbook (Section 2, Chapter 3.1).

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

To be eligible for entry an athlete must:

- Hold an active World Para Athletics License for the 2019 season.
- Have achieved a valid minimum entry standard [MES] at a WPA recognized marathon between 1 January 2017 and 19 February 2019 in accordance with the athlete licensing policies valid for the 2017, 2018 and/or 2019 seasons.
- OR have been allocated a direct invitation from World Para Athletics.

Athletes with new, review and confirmed sport class status are eligible to enter. Athletes with a new or review sport class status must undergo classification (except those with a fixed review date later than 2019) will be required to undergo classification prior to the competition.

1.1.4. Other requirements (if any):

Athletes who undergo classification must submit all relevant medical paperwork in accordance with World Para Athletics Licensing requirements. Athletes must present themselves for classification on the day and at the time required by World Para Athletics.

Athletes must complete a Competition Entry Form (CEF) and declaration to compete for team consideration. The CEF will open 13 February 2019 and must be completed by 19 February 2019. The link for the CEF is available on the U.S. Paralympics Track & Field website. <https://www.teamusa.org/US-Paralympics/Sports/Track-and-Field/Selection-Procedures>

1.2. Tryout Events:

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

There will be no specific tryout events for selection to the Team. Athletes must achieve a MES between 1 January 2017 and 19 February 2019 in accordance with the World Para Athletics licensing policy at a WPA approved marathon event.

1.2.2. Provide event names, dates, locations and description of how athletes qualify for the trials, events and camps listed above in 1.2.1. (if any).

Not Applicable

1.3. Provide a comprehensive, step-by-step description of the method that explains how athletes will go through the selection process (include maximum Team size).

U.S. Paralympics Track & Field may enter a maximum of six (6) eligible athletes per individual medal event provided the athlete has met the MES.

Team size will be determined based on the criteria details herein.

1.3.1 World Para Athletics Direct Invitation

Any athlete invited by name (direct invitation) by WPA will be selected to the team provided he or she meets all eligibility provisions and other requirements set forth in these procedures.

- To enable greater representation by nation;
- To ensure events featured on the program have sufficient representation for viability;
- To enable greater representation by gender;
- To ensure the representation of athletes with high support needs;

- To ensure top athletes that may have not had the opportunity to formally qualify due to extraordinary circumstances.

Applications for Direct Invitation are due by 15 February 2019 at 8:00am MST and must be requested in writing by U.S. Paralympics. The list of athletes submitted to WPA by direct invitation will be determined by U.S. Paralympics Track & Field. Athletes selected for direct invitation will be notified when U.S. Paralympics Track & Field receives notification from WPA regarding direct invitation invites.

Any athlete invited by name by WPA will be selected to the team provided he or she meets all eligibility provisions and other requirements set forth in these Procedures. USOC will be notified of any direct invitations from WPA on February 22, 2019.

1.3.2 Discretionary Selection

Prior to the objective selection process (outlined below in step 1.3.3), up to a maximum of two (2) men and two (2) women may but are not required to be nominated according to Discretionary Selection (section 2).

1.3.3 World Ranking

Following Discretionary Selection, up to a maximum of six (6) athletes per medal event, who are ranked in top eight (8) overall in the WPA world rankings from 1 January 2017- 19 February 2019 may be nominated to the team. If there are more than six (6) athletes in a medal event ranked in the top eight (8) of the rankings, athletes will be nominated based on ranking order of best finish times.

Tie Break

If a tie exists for the final athlete position for any medal event, the athlete with the next best result during the qualification period will be nominated to the team.

Guide Athletes

Guide athletes will be nominated to the Team based on Discretionary Selection (Section 2). Guide athletes will be held to the same standards and code of conduct as outlined in the selection procedures.

2. **DISCRETIONARY SELECTION (if applicable)**

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

The rationale for utilizing discretionary selection is to allow U.S. Paralympics Track & Field the ability to select athletes who many have the greatest impact and contribution to podium performances at the respective event, impact on slot allocations for future events, and positively contribute to team performance.

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

Athlete Discretionary Selection

The discretionary selection committee will consider the following (not in priority order):

- If an athlete experienced injury or illness that impeded maximal performance at a WPA approved marathon event during the qualification period;
- If the athlete was subject to equipment failure, weather, interference or external factors, either natural or caused other others, that impeded what likely would have yielded a better result at a WPA approved marathon event during the qualification period;
- If an athlete has achieved an MES at a WPA approved competition between 1 January 2017 and 19 February 2019 as listed on the WPA rankings at the time of nomination;
- The athlete's likelihood of winning a medal at the 2019 WPA Athletics Marathon Championships;
- An athlete, who despite competing a relatively short time in the sport, is within a reasonable percentage [i.e. 1% to 3% of the international performance standards for a top three (podium) finish].
- An athlete who is required to undergo international classification evaluation at the event.

Guide Athlete Discretionary Selection

Guide athletes are used for the T11 and T12 sport classes. Guide athletes must hold an World Para Athletics license for the 2019 season. The guide athlete nomination is contingent upon the nomination and participation of the assigned athlete to be guided.

The discretionary selection committee will consider the following (not in priority order):

- The speed of the guide athlete in relation to the athlete being guided. The guide athlete must be faster than the visually impaired athlete;
- Demonstrated expertise and experience of the guide athlete competing in a marathon event;
- Knowledge and understanding of the WPA rules and regulations pertaining to guide athletes;
- Preference of the visually impaired athlete;
- History of working with the athlete the athlete guide is assigned to guide.

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

Discretionary Selection Committee:

- Sr High Performance Director, U.S. Paralympics
- Director, U.S. Paralympics Track & Field
- Associate Director, U.S. Paralympics Cycling
- Athlete Representative 1 (athlete not eligible to compete in the marathon)
- Athlete Representative 2 (athlete not eligible to compete in the marathon)

- 2.3.1. Specify the process that will be used to identify and handle any potential conflicts of interest involving a member of the committee.

Any member of the selection committee that has a possible conflict of interest must disclose it. If such conflict exists, the selection committee member must recuse him/herself from committee discussions and voting. Further, the committee member should not otherwise influence other members of the committee in the selection process. However, a committee member who recused him/herself, but who has relevant and necessary information with respect to athlete performance, for example a national team coach or high performance director, may, if requested by the selection committee, provide such information to the committee so long as such information is provided in a fair and unbiased manner and the committee member who declared the conflict of interest does not vote toward the final decision.

3. REMOVAL OF ATHLETES

- 3.1. Prior to entry by name to the Local Organizing Committee by the USOC, the NGB/HPMO has jurisdiction over potential nominees.

An athlete who is to be nominated to the Team by the NGB/HPMO may be removed for any of the following reasons, as determined by the NGB/HPMO:

- 3.1.1. Voluntary withdrawal. Athlete must submit a written letter to the NGB/HPMO CEO/Executive Director.
- 3.1.2. Injury or illness as certified by a physician (or medical staff) approved by the NGB/HPMO. If an athlete refuses verification of his/her illness or injury by a physician (or medical staff) approved by the NGB/HPMO, his/her injury will be assumed to be disabling and he/she may be removed.
- 3.1.3. Failure to participate in Mandatory Training and/or Competition as defined in Section 9 of these procedures.
- 3.1.4. Violation of the NGB's/HPMO's Code of Conduct Attachment A.
- 3.1.5. Violation or failure to adhere to USOC travel policies.
- 3.1.6. Athletes' event is no longer offered by World Para Athletics for the competition.
- 3.1.7. Athlete re-classification by WPA concluding in a result in which the athletes qualifying performance would not have qualified him/her for team nomination and/or an event start right.
- 3.1.8. Violation of U.S. Paralympics Track and Field team rules and agreement. (Attachment F of U.S. Paralympics Track and Field Sport and Program Plan)
Re-classification of the athlete by the IPC, such that the athlete's qualifying performance would not have qualified him/her for the Team.

- 3.1.9. Removal by the IPC of the event in which the athlete qualified for the Team, from the program of the 2019 WPA Marathon Championships

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

- 3.2. Once athlete entries have been submitted to the Local Organizing Committee by the USOC, the USOC has jurisdiction over the Team, at which time, in addition to any applicable NGB/HPMO Code of Conduct, the USOC's Code of Conduct and Grievance Procedures apply. The USOC's Code of Conduct and Grievance Procedures can be found at:

<http://www.teamusa.org/Athlete-Resources/Athlete-Ombudsman/Resources/Code-of-Conduct>

<http://www.teamusa.org/Footer/Legal/Governance-Documents>

- 3.3. An athlete may be removed as a nominee to the Team or from the Team for an adjudicated violation of IPC, WADA, WPA, USADA and/or USOC anti-doping protocol, policies and procedures, as applicable.

4. REPLACEMENT OF ATHLETES

- 4.1. Describe the selection and approval process for determining replacement athlete(s) should a vacancy occur:

- 4.1.1. prior to submission of Entries by Name to the Local Organizing Committee, including any applicable group or committee:

No replacement of athletes will occur.

- 4.1.2. after submission of Entries by Name to the Local Organizing Committee, including any applicable group or committee:

No replacement of athletes will occur.

5. SUPPORTING DOCUMENTS

U.S. Paralympics Track & Field 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 Ceremony of the WPA Marathon Championships.

6. REQUIRED DOCUMENTS

In addition to the USOC Code of Conduct, the following documents are required to be signed by an athlete as a condition of nomination to the WPA Marathon Championships and are included as attachments:

USOC Code of Conduct for U.S. Paralympics National Teams and Paralympic Programs (Attachment A)

U.S. Paralympics Complain Procedures (Attachment B)

7. PUBLICITY/DISTRIBUTION OF PROCEDURES

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

7.1. NGB/HPMO Web site:

These procedures will be posted as soon as possible, but not more than five business days following notice of approval by the USOC.

<https://www.teamusa.org/US-Paralympics/Sports/Track-and-Field/Selection-Procedures>

8. DATE OF NOMINATION

The Nomination of Athletes form, including replacements, will be announced to all athletes and submitted to the USOC on or before:

Athlete nominations will be announced on or before 20 February 2019.

9. MANDATORY TRAINING AND/OR COMPETITION

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

There are no mandatory training and/or competitions for this event.

10. ANTI-DOPING REQUIREMENTS

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

11. DEVELOPMENT OF SELECTION PROCEDURES

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

Cathrine Erickson, Director, U.S. Paralympics Track & Field
Sherrice Fox, Assoc. Director, U.S. Paralympics Track & Field
Elexis Gillette, Athlete Representative
Anjali Forber Pratt, Athlete Representative

12. NGB/HPMO BYLAWS AND GRIEVANCE PROCEDURES

The USOC Bylaws and Grievance Procedures can be found at:

<https://www.teamusa.org/Footer/Legal/Governance-Documents>

<https://www.teamusa.org/US-Paralympics/Sports/Track-and-Field/Selection-Procedures>

13. INTERNATIONAL DISCLAIMER

These procedures are based on IPC, as applicable, and/or WPA rules and regulations as presently known and understood. Any change in the selection procedures caused by a change in IPC, as applicable, and/or WPA 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 Track & Field. 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.

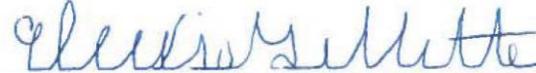
14. ATHLETE OMBUDSMAN

Athletes who have questions regarding their opportunity to compete that are not answered by U.S. Paralympics Track & Field may contact the USOC Athlete Ombudsman, Kacie Wallace, by:

- Telephone at (719) 866-5000
- Email at Kacie.wallace@usoc.org
- <http://www.teamusa.org/Athlete-Resources/Athlete-Ombudsman>

15. NGB/HPMO SIGNATURES

I certify that I have read and understand the standards/criteria set by our IF and/or CF (PAG/PPAG only) and incorporated those standards/criteria into our Selection Procedures. I further certify that the information provided herein regarding Athlete Selection Procedures represents the method approved by U.S. Paralympics.

Position	Print Name	Signature	Date
NGB/HPMO President or CEO/Executive Director	Julie Dusliere		2/14/2019
Nat. Team Coach, Head Coach, or Nat. Program Director	Cathrine Erickson		2/14/2019
USOC Athletes' Advisory Council Representative*	Elexis Gillette		2/14/2019

* If the 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 Athlete Representative constitutes that he/she has read and understands the Selection Procedures. If the Athlete Representative reads and does not agree with the Athlete Selection Procedures being submitted by the NGB/HPMO, he/she may submit those reasons in writing to his/her Sport Performance Team.

* If, for some reason, a sport does not have an elected USOC AAC Representative, the NGB/HPMO must designate an athlete from that sport to review and sign the Selection Procedures.

Attachment A

UNITED STATES OLYMPIC COMMITTEE
CODE OF CONDUCT
FOR
U.S. PARALYMPICS NATIONAL TEAMS
AND
U.S. PARALYMPICS PROGRAMS
November 26, 2013

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 United States Olympic Committee (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 published rules related to the Team selection procedures as approved by U.S. Paralympics or 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;
- will not participate or assist in any gambling or betting activities associated with any event related to my sport or my participation;
- am eligible to compete under the rules of the IPC/World Para Athletics and its pertinent committees, and its pertinent member organizations and under the rules of the USOC;
- am in possession of a valid USA passport, that will not expire prior to six months following the conclusion of any international competition, should I be chosen for an international team that requires a passport;
- 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 maintain a level of personal hygiene and cleanliness appropriate to respect my teammates;
- 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 U.S. Paralympics at official activities sponsored by the USOC or U.S. Paralympics as directed by U.S. Paralympics staff, and I agree to compete in the U.S. Paralympics-approved Team uniform, where such a uniform is provided, in competitions at which I am supported by U.S. Paralympics . I agree to wear the names and logos of U.S. Paralympics sponsors, suppliers and licensees on Team competition wear, other uniforms and casual wear as provided by U.S. Paralympics. I agree to not alter any Team uniform, either by removing or obstructing the names or logos of U.S. Paralympics 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, U.S. Paralympics or its sponsors, their names, logos, marks, products or services. I acknowledge that endorsing and supporting U.S. Paralympics 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 any event I am attending under the auspices of the USOC or U.S. Paralympics, by U.S. Paralympics official photographer(s), film crew(s) and video crew(s), and

by any other entity authorized by U.S. Paralympics, under the conditions specified by U.S. Paralympics. I hereby grant U.S. Paralympics 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 U.S. Paralympics and the USOC ; in no event may U.S. Paralympics or 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 or U.S. Paralympics logo for the purpose of trade, promotion, fund raising or on merchandise, without the prior written consent of U.S. Paralympics;
- will abide by the rules of the IPC/World Para Athletics or other Paralympic international federations concerning allowable trademark identification on clothing and equipment worn or used in competition or on visible body tattoos.
- understand that if I require legal representation because I am accused of criminal misconduct or an anti-doping violation, or if for any other reasons I require the services of an attorney, I will be personally responsible for payment of such legal fees and expenses;
- will act in a way that will bring respect and honor to myself, my teammates, the Team, U.S. Paralympics, the USOC, 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, at 719.866.5000, Kacie.Wallace@usoc.org, Sara.Clark@usoc.org or www.athleteombudsman.org for further information regarding my rights under this Code that are not answered by U.S. Paralympics.

PARTICIPANTS' AFFIRMATION

I have read and accept this Code of Conduct. By signing my name below, I agree to the rules, guidelines, jurisdiction and procedures stated in this document as a condition of being a member of the Team. I further understand and agree that my signed name is my legal and binding signature. "Signing" shall mean that the athlete signs the Code either by print; or electronically, by typing his/her name into the signature field and returning the Code to U.S. Paralympics via email from the athlete's confirmed direct email address."

Signature

Email

Date

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

Signature

Date

Relationship (Parent or Guardian)

Attachment B

U.S. Paralympics COMPLAINT PROCEDURES May 15, 2018

Section 1. Jurisdiction.

These Complaint Procedures are applicable to those Paralympic sports in which U.S. Paralympics 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. Any member or participant of any of those Paralympic sports, by reason of membership or participation in an event (including but not limited to, competitions, camps and trainings) sanctioned, organized or held by U.S. Paralympics, agrees to be subject to these complaint procedures and agrees to be bound by any decision rendered pursuant to these complaint procedures.

Section 2. Designation of Complaints.

The following kinds of complaints may be filed with U.S. Paralympics:

- a. **Administrative Grievance.** U.S. Paralympics or any aggrieved individual may file a complaint pertaining to any matter relating to the cognizance of U.S. Paralympics, including but not limited to any alleged violation of or grievance concerning any U.S. Paralympics rule, regulation or code of conduct.
- b. **Disciplinary Proceeding.** U.S. Paralympics, or any member of the respective Paralympic sport may file a complaint against another member of the Paralympic sport, or former member of the Paralympic sport if the action occurred while the individual was a member, regarding any alleged violation of the Paralympic sport Code of Conduct, Paralympic sport SafeSport Policy, or any other rule or regulation relating to conduct.
- c. **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 U.S. Paralympics sanctioned/sponsored competition or protected 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, except that for matters involving any Paralympic sport SafeSport Policy, complaints may be filed anonymously.

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. Doping Decisions.

A decision concerning a doping violation adjudicated by the independent anti-doping organization designated by U.S. Paralympics to serve as the U.S. National Anti-Doping Organization (currently the United States Anti-Doping Agency) shall not be reviewable through, or the subject of, these complaint procedures.

Section 7. Safe Sport Decisions.

A decision concerning a safe sport violation adjudicated by the independent safe-sport organization designated by U.S. Paralympics (currently the United States Center for Safe Sport) shall not be reviewable through, or the subject of, these complaint procedures.

Section 8. Hearing Panel.

Upon the filing of a complaint, the USOC Chief Executive Officer shall appoint a hearing panel consisting of three (3) disinterested individuals to hear the complaint. The USOC 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 9. Administration.

The United States Olympic Committee General Counsel's Office shall generally administer and oversee all administrative grievances, disciplinary proceedings, and right to compete matters filed with U.S. Paralympics.

Section 10. 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 11. 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 12. 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 13. 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 14. 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.