Effective: April 2013

USRowing National Team Selection Event On-Site Due Process

If an issue arises during a selection event that results in the exclusion of an athlete or boat of athletes from the event, the following on-site due process shall be used to hear their concern, protest or petition:

1) All concerns and protests related to field of play and/or the Rules of Rowing shall be processed in accordance with the Rule of Rowing protest procedures (sections 2-604, 2-605).

2) In the event that an athlete is excluded from competition, by USRowing, at or during the event for a reason other than those covered under the Rules of Rowing, that athlete is entitled to petition for an on-site administrative hearing.

3) For the purpose of selection events, such a petition shall be heard immediately by an on-site administrative hearing panel comprised of three individuals: (1) one person meeting the definition of “athlete” under the USOC bylaws, (2) the Chief Referee and (3) the Trials Director. In the event that any of these persons is conflicted in participating in the process, another athlete, referee member of the jury or USRowing high performance staff person may be named and substituted by the USRowing CEO. This hearing shall be expedited to occur before the next round of racing.

4) The hearing may be held telephonically, at the discretion of the Trials Director and based on availability of all panel members to attend in person. The hearing will include the petitioner and witnesses unless the petitioner waives this right, in which case the hearing will be conducted with written briefs only.

5) The burden of proof shall be on USRowing, having made the decision to exclude the athlete, which burden shall be at least a “preponderance of the evidence”.

6) An expedited decision either to allow the athlete to compete or not based solely on the evidence of record, will be issued within two hours of the hearing. A reasoned decision may be issued in a timely manner.

7) The athlete may be entitled to further resolution of his/her grievance through the Bylaws of the United States Rowing Association and/or the United States Olympic Committee Bylaws.