

USA SWIMMING
SWIMMER SELECTION PROCEDURES
2009 FINA Open Water World Championships
Rome, Italy

Defined Terms- The following common definitions shall apply to this Team Selection Procedure:

- A. **Competition.** The "Competition" shall mean the 2009 FINA Open Water World Championships in Rome, Italy, July 19-25, 2009.
1. **Available Swimmer.** "Available Swimmer" shall mean a swimmer who, at the time of selection and through the Championships: (i) is a registered swimmer member of USA Swimming in good standing, (ii) is a citizen of the United States who is eligible to represent the United States at the Championships, (iii) qualifies for the Team in an Event according to this Procedure, (iv) satisfies all the FINA, World Anti Doping Agency (WADA), United States Anti-Doping Agency (USADA) and USA Swimming applicable eligibility requirements (according to FINA rules, swimmers must be at least 14 years of age, anytime during the calendar year, for all FINA Open Water Swimming events); (v) places in the top six highest finishing swimmers at the Qualifying Competition and finishes within 20 minutes of the first place finisher. (vi) accepts the invitation to become a member of the Team when that invitation is offered by USA Swimming, (vii) agrees to swim in the Event for which he/she qualifies, and (viii) continues to train for peak swimming performance. If a swimmer does not satisfy these requirements, then he/she is not considered an Available Swimmer.
- B. **Head Coach.** Unless otherwise indicated, "Head Coach" shall refer to the head coach of the Team.
- C. **National Team Head Coach.** "National Team Head Coach" shall refer to the USA Swimming National Team Head Coach or his/her designee.
- D. **Qualifying Competition.** The "Qualifying Competition" shall be the 10K race at the 2009 USA Swimming Open Water World Championship Trials, on June 14, 2009 in Fort Myers, Florida.
- E. **Team.** "Team" shall mean the 2009 FINA Open Water World Championship Team announce by USA Swimming on June 19, 2009.
- F. **Time of Selection.** The official "Time of Selection" shall be 12:00 noon on June 18, 2009.
- I. Selection Eligibility.** To be eligible for selection to the Team, the swimmer must be an Available Swimmer at the Time of Selection.

II. Additional Requirements for Selection.

All swimmers selected to the Team will be required to comply with all applicable rules and requirements of FINA, WADA, USADA, and USA Swimming. Specifically, and without limitation, each swimmer selected to the Team shall:

- a. Sign and abide by the USA Swimming Competition Forms (See Attachments A) and conform to all USA Swimming policies and protocol regarding Team preparation and participation;
- b. Agree to be filmed and photographed by the official photographer(s) and network(s) of USA Swimming under the conditions authorized by USA Swimming and give USA Swimming the right to use his or her name, picture, likeness, and biographical information to promote the sport of swimming.

III. Initial Team Selection—Making and Filling the Team.

- A. Team Size. The maximum allowable Team size is up to six (6) men and six (6) women. The actual Team size will be determined once the Selection Criteria set forth below have been implemented. If for any reason the Team size based on the Selection Criteria is less than six (6) men or six (6) women, no additional swimmers will be added to the Team. For purposes of this Procedure, the men's and women's components of the Team shall be considered separately.
- B. Performance Criteria for Team Selection. FINA rules allow up to two (2) competitors per country in each event. The Team will be selected from among Available Swimmers as follows:
 - i. Priority #1. The first place finisher at the Qualifying Competition must swim the 10K at the Competition and will also have the opportunity to elect to participate in the 5K event, the 25K event, or both at the Competition.
 - ii. Priority #2. The second place at the Qualifying Competition must swim the 10K at the Competition and will also have the opportunity to elect to participate in the 5K event, the 25K event, or both at the Competition.

- iii. Priority #3. If any event is un-filled after the first two Priorities, then the third place finisher in the Qualifying Competition will have the opportunity to elect to participate in the 5K event or 25K event or both. This process will continue, offering the opportunity to the fourth, fifth and sixth place finishers at the Qualifying Competition in order until two swimmers are in each event or the top six place finishers have declined a position.
- iv. Under no circumstance will swimmers finishing below sixth place at the Qualifying Competition or 20 minutes behind the first place finisher be considered for selection to the Team.

C. Breaking a Tie.

In the instance where there is tie between two swimmers at the Qualifying Competition, the following prioritized methods will be used to break the tie:

- i. If there is a tie for first place, both swimmers will be selected to the Team.
- ii. If a tie occurs for second place, the swimmer who was a 2008 U.S. Olympian will be selected to the Team.
- iii. If this does not break the tie, then the swimmer with the highest place finish at the 2008 USA Swimming Open Water 10K Nationals (Minneapolis, Minnesota, August 3, 2008) will be selected to the Team. If only one swimmer attended the 2008 USA Swimming Open Water 10K Nationals, then that swimmer will be selected to the Team.
- iv. If this does not break the tie, the swimmer with the highest world ranking in the 1500-meter freestyle based on swimnews.com World Rankings from January 1, 2008-June 1, 2009, will be selected to the Team
- v. If this does not break the tie, the tie will be broken by random draw.

IV. Adjustments to the Team between Time of Selection and July 1, 2009.

A. Filling Vacant Team Position. If, for any reason, an event position shall become vacant between the Time of Selection and the date USA Swimming submits its entries for the Championships (July 1, 2009, 10:00 am MST), such vacancy shall be filled as follows, provided, however, that nothing in this section shall have the effect of bumping off the Team a swimmer who has already been selected to the Team:

- i. Vacancy in any Event. If a vacancy occurs in any event, the opportunity to fill the vacancy will be offered to the top six Available Swimmers in the Qualifying Competition, based on their order of finish. If this process results in vacancies in other events (because a swimmer elects to swim in the vacant event and withdraws from another event), then those vacancies shall be filled by the same process. Under no

circumstance will any swimmers finishing below sixth place be considered for selection to the Team.

V. Entry Adjustments.

Adjustments to the Team after July 1, 2009. If, for any reason, an event position shall become vacant after July 1, 2009, no additional members shall be added to the Team. In the event that USA Swimming is permitted to fill the vacant event position, such vacant event position shall be filled by the Head Coach and National Team Coach at their discretion from among those swimmers already on the Team who agree to compete in the additional event.

VI. Dismissal from the Team.

Any swimmer may be dismissed from the Team at any time following a hearing as set forth in Section VIII if (i) the swimmer violates any of the applicable FINA, USA Swimming or other rules and regulations applicable to the Team or its members, including without limitation, applicable Codes of Conduct; (ii) the swimmer fails to participate in any mandatory Team activity, or (iii) the National Team Head Coach, in consultation with the Head Coach, the USA Swimming Olympic International Operations Committee (OIOC) Chairman and the USA Swimming Swimmers' Executive Vice President, determines that the swimmer is unable or unwilling to maintain a training regimen that is necessary for peak performance in the Championships.

If a swimmer is alleged to have committed an anti-doping rule violation, that swimmer shall remain on the Team (or remain eligible to be named to the Team) until: 1) the swimmer is provisionally suspended or declared ineligible after a hearing conducted pursuant to the U.S. Anti-Doping Agency Protocol for Olympic Movement Testing or by FINA; 2) the swimmer voluntarily accepts a provisional suspension or sanction of ineligibility; or 3) the swimmer voluntarily withdraws from the Team or relinquishes eligibility to be named to the Team.

Confidentiality regarding alleged anti-doping rule violations shall be maintained as provided in the U.S. Anti-Doping Agency Protocol for Olympic Movement Testing.

VII. Withdrawal from the Team.

Any swimmer may withdraw from the Team at any time due to injury or illness, as certified by a USA Swimming Medical Staff member in consultation with USA Swimming (National Team Head Coach, Head Coach and Swimmer Advisory Representative) which prevents the swimmer from full participation in and/or preparation for the Championships.

VIII. Challenge.

Any challenge to these Procedures or any decision made pursuant to or in connection with these Procedures shall be handled as follows: 1) if such challenge relates to an alleged violation of a technical rule, it shall be handled according to the procedure set forth in Part One of the USA Swimming Rules and Regulations (can be found at www.usa-swimming.org); 2) if such challenge relates to an alleged violation of the National Team Honor Code, it shall be handled according to the procedure set forth in Section 8 of the USA Swimming Olympic International Operations Procedures Manual ("OIO Procedures Manual," (can be obtained from the National Team Division); and 3) if such challenge does not relate to an alleged violation of a technical rule or an alleged violation of the National Team Honor Code, it shall be handled according to USA Swimming's Hearing Procedure set forth in Part Four of the USA Swimming Rules and Regulations. Any hearing required in order to resolve a challenge shall take place on an expedited basis if necessary in order to resolve the challenge in sufficient time for Team selection to be finalized by a relevant deadline.

IX. Assembly, Training, and Competition.

Swimmers selected to the Team will be required to participate in assembly, training and Competition, and remain with the Team throughout the Competition. Assembly will take place on July 13, 2009, and the Team will remain together through July 26, 2009. Specific dates/locations of mandatory training and Competition are subject to change:

<u>Site</u>	<u>Dates</u>	<u>Event</u>
Chicago	July 13	Assembly
Rome	July 14-18	Camp
Rome	July 19-25	Competition
U.S.	July 26	Return home

X. Publicity/ Distribution of Procedures.

These Procedures, when approved, will be published on the USA Swimming Web site, usaswimming.org. Additionally, the Procedures will be emailed to National Team swimmers and their personal coaches at the time of entry, and will be distributed at the Qualifying Competition general meeting and the 2009 FINA Open Water 10K World Championships Trials general meeting.

XI. International Disclaimer.

These Selection Criteria are based on the latest information available to USA Swimming and are based on FINA and USA Swimming Rules and Regulations as presently known and understood. Any change in the Selection Procedures caused by a change in FINA or USA Swimming Rules and Regulations or other unforeseen circumstances will be distributed to the affected swimmers immediately.