

USA Gymnastics Conflict of Interest Policy for Athlete/Coach/Judge Selection

USA Gymnastics is committed to providing fair and equitable athlete, coach and judge selection processes that minimize conflicts of interest. The *USA Gymnastics Conflict of Interest Policy for Athlete/Coach/Judge Selection* (the “Policy”) is intended to protect the interests of the athletes and other participants in the athlete selection process, particularly for those selections that involve discretionary selection criteria.

This Policy applies to any selection process where written selection procedures (“Selection Procedures”) dictate the selection process and/or where a Selection Committee is utilized. This Policy is designed to prevent actual or potential conflicts of interest, impropriety, and favoritism.

I. Selection Committee Composition

1. Members of a selection committee will be determined in accordance with this Policy and the applicable program/committee consistent with the requirements in each program’s Rules and Policies or Operating Code. Whenever possible, the names of the selection committee members shall be included in the selection procedures. If the names of the selection committee members are not listed in the selection procedures at the time of publication, the identity of those individuals must be publicly disclosed, e.g., in published committee minutes, as soon as possible after they are named, and the selection procedures must be updated, as soon as practical, to reflect the names of the committee members.
2. No person with a conflict of interest may serve on a selection committee. Selection committees are program-specific.
3. As required by the USOPC’s bylaws, athlete representation (as defined by the standards articulated in Section 8.8 in the USOPC’s bylaws¹) must comprise at least 20% of any selection committee designated to select athletes for international, Olympic, and Pan American Games teams. Consistent with this requirement, all selection committees will have a minimum of 20% athlete representation.
3. Program Directors or individuals employed by USA Gymnastics may not serve as voting members of any selection committee; however, those individuals may be present during meetings of a selection committee to ensure that the selection procedures are followed. Additional staff members of USA Gymnastics, athlete representatives, or the USOPC (where applicable), may attend a selection meeting to ensure the selection committee complies with the approved selection procedures.

¹ “At the time of election, all NGB athlete representatives shall have demonstrated their qualifications as athletes by having:

1. within the ten (10) years preceding election, represented the United States in the Olympic or Pan American Games, or an Operation Gold event, or a World Championship recognized by the NGB’s IF for which a competitive selection process was administered by the NGB, or, in a team sport, an international championship recognized by the IF of the NGB; or
2. within the twenty-four (24) months before election, demonstrated that they are actively engaged in amateur athletic competition by finishing in the top half of the NGB’s national championships or team selection competition for the events outlined in subparagraphs (1) or (2) or in a team sport, have been a member of the NGB’s national team.” USOPC Bylaws Section 8.8.

4. Individuals employed or contracted by USA Gymnastics to oversee the national team program of a specific discipline, such as a National Team Coordinator or High Performance Director, may serve as a voting member of a selection committee, provided they do not have a conflict of interest.
5. No individual may be paid for his or her service on a selection committee. However, USA Gymnastics may compensate individuals who serve on selection committees for other work performed for USA Gymnastics, such as work as a camp clinician and/or other high performance-related tasks, so long as his/her participation on the selection committee is approved by the Ethics and Grievances Committee.
6. An athlete, coach, or judge serving on a selection committee may not select him/herself.

II. Definition of a Conflict of Interest

This Policy applies to any individual participating on a selection committee, with or without voting rights. A conflict of interest, as it applies to USA Gymnastics team selection, is defined below. Individual programs may incorporate additional or more restrictive conflict of interest requirements than required by the Policy.

An individual who has an Affiliation with a person (e.g. athlete or coach) in contention for the applicable team selection has a conflict of interest. Affiliation means any of the following:

- a. Personal coach of a contending athlete or a member of the athlete's coaching staff (i.e., head or assistant coach in a club program or a member of a collegiate coaching staff).
- b. Former personal coach, or coaching staff member, of a contending athlete, coach or judge. A former coach no longer has a conflict of interest after two years have passed since they last coached a contending athlete. A coach who previously served as part of a coaching staff for a delegation representing the U.S. where a contending athlete was part of the same delegation is not considered to have a conflict of interest.
- c. A known future personal coach, or coaching staff member, of a contending athlete (e.g., a collegiate coach at the university where a contending athlete has committed).
- d. For athlete representatives, or a retired athlete turned coach/judge/administrator, a former teammate (same training club) of a contending athlete; an athlete who trained in the same gymnastics club more than two years prior is not considered to have an affiliation. An athlete who previously competed with a contending athlete on the same team representing the U.S. is not considered a conflict.
- e. Financial or business relationship with a contending athlete, coach or judge.
- f. Employed by, or has an ownership interest in, a gymnastics club where the contending athlete is training or has previously trained within the past two years.
- g. Any other past, present, or known future personal or professional relationship with a contending athlete, coach or judge that could compromise an individual's ability to participate in the selection process in an unbiased manner.
- h. Any of the above Affiliations by a Related Person to the selection committee member. A Related Person is any person who is related by blood or marriage, or whose relationship with the selection committee member is similar to that of persons who are related by blood or marriage, including a spouse, domestic partner, parent, sibling, child, grandchild, or the spouse of any of these, or an individual living in the same home as the selection committee member.

- i. Any person related (as defined above) to a contending athlete, coach, judge has a conflict of interest.

III. Who Determines if a Conflict of Interest exists?

1. *Duty to Disclose.* Individuals have an affirmative duty to disclose any actual or potential conflicts known before the start of the selection process. If a member of the selection committee fails to disclose a conflict of interest, and the Ethics and Grievance Committee later determines that a conflict exists, the selection committee member is barred from participating on any USA Gymnastics selection committee for two years.
2. *Ongoing Duty to Evaluate and Disclose.* At the beginning of the selection process, it is not always known if a conflict exists, or will continue to exist, especially when the selection process spans multiple competitions. For example, a selection committee member may initially have a conflict with a contending athlete. But once that athlete is no longer in contention for team selection (e.g., did not meet a selection score to advance in the selection process, suffered an injury, etc.), the selection committee member no longer has a conflict of interest. Each committee member has an affirmative duty throughout the selection process to monitor and disclose whether an actual or potential conflict exists (and may refer any questions to the Ethics and Grievance Committee, as set forth in Section IV below).
3. *Ethics & Grievance Committee.* USA Gymnastics' Ethics and Grievance Committee is a standing committee under USA Gymnastics bylaws and has the authority to determine whether a conflict of interest exists and to make any other determinations regarding conflicts of interest. In making its decisions, the Ethics & Grievance Committee shall err on the side of the athlete, meaning that if there is any question about whether a conflict of interest exists that warrants removal, the conflicted individual shall be removed from the process. The minutes of the Ethics and Grievance Committee's meetings shall reflect when an actual or potential conflict of interest is identified, including through self-disclosure by a selection committee member, and how that conflict was addressed.
4. *Conflict Review.* An individual, a program, or a committee may request that the Ethics and Grievance Committee evaluate any alleged conflict of interest. The request must be made before the start of the selection process, or as soon as possible after a potential conflict has been identified, whether by the selection committee member or otherwise.
5. *Athlete, Coach and Judge Rights.* Any participant who is involved in a selection process governed by this Policy who believes that a member of a selection committee is conflicted has the right to anonymously request that the Ethics and Grievance Committee evaluate the potential conflict. Such request should be made as soon as the participant identifies a possible conflict, and in all cases before the start of the final selection competition.

IV. What must be done when a Conflict of Interest exists?

1. An individual with a conflict of interest must recuse himself or herself from the selection process pursuant to Section V, Recusals and Removals.
2. A potential or actual conflict of interest must be disclosed or raised as soon as an individual is aware of the potential conflict and in all cases before the final selection event. A conflict of interest is deemed waived if it is not raised before the final selection event.

3. The Ethics and Grievance Committee shall evaluate the potential conflict of interest as soon as practical after the potential conflict is brought to the Committee's attention. All actual or potential conflicts of interest must be addressed before the final selection event. The individual with the potential conflict of interest may not participate in the selection process until a decision has been made.
4. An individual on the committee responsible for drafting the selection procedures, who has a known conflict of interest at the time of drafting those procedures, must recuse himself or herself from the drafting process pursuant to Section V, Recusals and Removals. Program Directors employed by USA Gymnastics may serve on the committee to draft the selection procedures.

V. Recusals and Removals

1. If a conflict of interest exists, then the affected selection committee member must recuse himself or herself from the selection committee for the duration of the conflict. If an individual fails to recuse himself or herself, then the Ethics and Grievance Committee can remove that individual from the selection committee.
2. Selection Procedures must identify the committee responsible for naming a replacement member of the selection committee in the case of a vacancy, or, when a selection committee member is unable to fulfill the obligations of the selection committee.
3. Recusals or removals may be specific to a gender/discipline. For example, when selecting the World Championships Team for acrobatic gymnastics, a selection committee member may need to recuse himself or herself or be removed for the selection of women's pairs due to a conflict of interest with the contending women's pairs athletes, but may participate on the selection committee for the selection of mixed pairs because no conflict exists with the athletes in contention for mixed pair selection.
4. A recused or removed committee member may not be seated with the selection committee members during the final selection competition to the extent possible.
5. A recused or removed committee member may not communicate, participate, or be physically or electronically present before or during a selection committee meeting, except as expressly invited under Part V.6 below.
6. A recused or removed committee member must not attempt to influence other members of the committee in the selection process. However, a recused or removed committee member who has relevant and necessary information with respect to athlete performance, 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.

VI. Replacement of an Athlete Representative

Replacement of a conflicted athlete representative is as follows:

1. Whenever possible, a conflicted athlete representative must be replaced by another athlete within the same discipline.
2. The replacement athlete must meet the standards listed in Section 8.8 of the USOPC bylaws.
3. The committee designated in the selection procedures to determine replacements shall recommend a replacement athlete representative.

- a. USA Gymnastics Athletes' Council must approve the replacement athlete representative. If the recommended replacement athlete representative is an elected member of USA Gymnastics' Athletes' Council in the relevant discipline, he or she must recuse him/herself from that approval process.