Canadian athletes, coaches, officials and other members of the sport community are subject to a selection process in order to participate in the various sporting events at the different levels. The process by which they are selected can lead to disagreements and disputes. The Sport Dispute Resolution Centre of Canada (SDRCC) has published this brochure to assist members of the sport community to understand the basic principles of team selection and to build sound team selection policies that will reduce the risk of disputes.

Although this text focuses on the selection of athletes at the national level, most of its content is equally applicable to the selection of the other members of a team such as coaches, officials, volunteers, etc. as well as to the selection of any team in competitive sport.

The following sections are examples of major events to which many Canadian athletes aspire to participate, and some particularities about their applicable selection processes:
International Multi-Sports Events: Olympic, Paralympic, Pan-American Games, Commonwealth and World University Games

The Olympic, Paralympic, Pan-American, Commonwealth and World University Games bring together athletes from numerous countries to compete in many different sports. Athletes wishing to participate in these Games must often meet multiple levels of qualification criteria: the international federation, the Games organizing committee, the national Multisport organization, and their national sport federation. In Canada, the national Multisport organizations in charge of sending teams to these Games are:

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<th>Games</th>
<th>National organization</th>
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<tr>
<td>Olympic Games</td>
<td>Canadian Olympic Committee (COC)</td>
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<tr>
<td>Paralympic Games</td>
<td>Canadian Paralympic Committee (CPC)</td>
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<td>Pan-American Games</td>
<td>Canadian Olympic Committee (COC)</td>
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<tr>
<td>Commonwealth Games</td>
<td>Commonwealth Games Canada (CGAC)</td>
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<td>World University Games</td>
<td>Canadian Interuniversity Sport (CIS)</td>
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The size of the Canadian delegations to these Games may depend on international performance of Canadian athletes, quotas imposed by Games organizing committees, as well as other considerations by the national Multisport organization (such as budget, performance goals, etc). Once each national sport organization is aware of the number of athletes it can nominate to the team, it then has the responsibility to put in place a team selection policy that will allow the fair selection of the best athletes to represent Canada at those Games.
In some instances, the national Multisport organization will be involved in approving the selection process and criteria established by the national sport organization and in approving the nominations.

To illustrate two different models adopted by national Multisport organizations in Canada, we will use the examples of the Olympic Games and of the Commonwealth Games.

**Olympic Games**

Athletes who wish to participate must:

1. meet all selection criteria established by their International Sport Federation and the Olympic Charter;
2. meet all requirements of the COC Team Selection Policy;
3. meet all selection criteria established by their National Sport Federation;
4. be nominated to the COC by their National Sport Federation;
5. be named to the Canadian Olympic Team by the COC’s Team Selection Committee.

**Commonwealth Games**

Athletes who wish to participate must:

1. meet the selection criteria established by their national federation to fill the quota imposed by CGAC; and
2. be nominated by CGAC to the Games organizing committee.

or

1. meet the selection criteria established by their national federation;
2. meet minimum performance standards established by CGAC;
3. have its participation funded by their national federation; and
4. be nominated by CGAC to the Games organizing committee.
**National Multisport Event: Canada Games**

The Canada Games are the national Multisport event in Canada. They bring together athletes from Canadian provinces and territories to compete in many different sports. These sports, as well as the technical and eligibility criteria, and the age categories for participation in the Canada Games, are determined by the Canada Games Council (CGC) in partnership with the national sport federations. Once the sports and other criteria have been established, the CGC invites the sport ministries or government agencies of each province and territory to participate in the Canada Games in the given sports within the established technical and eligibility criteria. It is important to note that the CGC does not impose performance selection criteria on the provinces/territories or on their sport governing bodies.

These government sport agencies and ministries then communicate with their respective sport federations to establish with them (as appropriate) the performance criteria applicable to their participation in the Canada Games. There is no obligation for the provinces and territories to demand specific performance criteria of their sport governing bodies. Governing bodies select athletes according either to criteria established by their government ministry or agency or to criteria they have developed internally. Once candidates have been selected by their provincial/territorial sport governing bodies, their names are submitted to the Chef de Mission of each province or territory, whose role it is to register team members with the Canada Games organizing committee.

**Canada Games**

Athletes who wish to participate must:
1. participate in a sport selected by the CGC and meet the technical and eligibility criteria established by the CGC;
2. respect the performance standards established by their provincial/territorial government agency or ministry and/or their provincial/territorial sport governing body, as applicable; and
3. be selected by their sport federation and registered by their provincial/territorial Chef de Mission with the Canada Games organizing committee.

**International Single Sport Events: World Championships, World Cups, etc.**

These competitions bring together athletes from many countries but usually focus on a single sport or a single discipline. Athletes wishing to participate in such events must:
1. meet the selection criteria of their international federation;
2. meet the selection criteria of their national federation; and
3. be selected by their national federation to participate in these competitions.
No matter what event described above, these selection criteria are cumulative, and the failure to meet any given criterion can prevent athletes from participating in the competition or Games in question. It is therefore crucial that athletes learn and understand each step of the selection process in order to have the greatest possible chance of participating in these competitions or Games. It is therefore the responsibility of the national sport organization (NSO) to make the selection criteria public so that its athletes have access to accurate information regarding what is expected of them in order to be selected. The next section provides advice on how to develop selection policies that will lead to a lower risk of related disputes.
Preparing selection criteria is not an easy task, and therefore should be an ongoing process within any sports organization. We would like to suggest a four (4) step process to help you develop a fair selection policy. The four steps are: Background and Research; Development; Validation; Communication and Implementation. For each step, we propose a list of factors that should absolutely be kept in mind (The Musts) as well as a list of practical ideas to guide you through the process (Best Practices). We believe that following these steps will reduce the risks of disputes arising from the selection process. Remember, these are suggestions; it is up to you to decide whether to use any or all of them.

**Step 1 - Background and Research**

This step allows you to canvass the performance criteria and other conditions that will be applied to your athletes by other organizations. Other conditions may include restrictions that are not linked to performance, from age categories to time limits for registering the athletes. Time is a major component of the selection process. It is therefore crucial to keep certain deadlines in mind in order to achieve your objectives.

**THE MUSTS**

> Identify the organizations that have authority in admitting an athlete to the competition in question (e.g. the international federation, the competition organizing committee, an international or national Multisport organization, etc.) and obtain the document(s) outlining the conditions for admission.

> Identify the time limits imposed by these organizations. For example, these can be the deadlines for registering with the event’s organizing committee; the qualification deadlines of your international federation in accordance with established criteria; and in some cases, internal and external appeal deadlines for team members.

> Identify the conditions that are unrelated to performance that define what group of athletes will be admissible according to these organizations (e.g. citizenship status, age groups, weight categories, membership status, etc.). These conditions may come with a time limit as well. For example, the athlete must be born after such date, or be a registered member in due form on such date.

> Identify the minimum performance criteria that will be imposed on all athletes in order for them to be eligible to participate in the event. These should become the minimum at which you base your own criteria.
BEST PRACTICES

> Based on the time limits imposed for registering your athletes, define precisely the “qualifying period”, or the timeframe during which athletes will be evaluated.

> This period should end early enough before the registration deadline to allow appeals to be conducted in a fair manner. It should also give athletes sufficient time to prepare properly and, if required, travel to the competition.

Step 2 – Development

This step is the responsibility of the experts, the coaches and high performance staff, within your organization. They are in the best position to determine WHEN and HOW your athletes should be evaluated in order to decide WHO should be selected. The technical knowledge and expertise they have must now find its way onto paper in a clear and concise manner.

THE MUSTS

> Take into consideration at all times the selection criteria and conditions that are imposed on your athletes by other organizations such as determined in Step 1.

> Ensure that the team responsible for preparing the selection criteria has the recognized authority for this task under the regulations of your organization.

> Ensure that the selection policy is respectful of other applicable agreements or policies that your organization may have adopted, such as its appeal policy, athletes’ agreements, etc.

BEST PRACTICES

a) Process

> Define the objectives you wish to attain through your selection criteria, such as the pursuit of excellence, team cohesiveness or athlete development.

> Along with a good representation of coaches, administrators and officials, invite athletes targeted by the pending selection criteria to provide you with their input, as applicable.
> Investigate previous errors and sticking points in team selection criteria to ensure they are not repeated; analyze past experiences of your organization to understand which methods work well and which to avoid; consult the lessons learned from team selection cases in the SDRCC Jurisprudence database.

b) Technical Content

> To the extent possible, try to establish selection criteria that are objective to prevent potential perception of unfairness (e.g.: results in certain competitions or events, ranking, scores, statistics and other performance measurements commonly used in your sport).

> If it is unrealistic to base yourselves on objective criteria only, clearly determine the subjective factors that will be considered when the selection is made, such as skills or the athletes’ contribution to the team, and propose an evaluation grid to allow for as detailed an analysis as possible of the established criteria. Of greatest importance is that the final choice not be random, negligent, arbitrary, or made out of favouritism.

> When looking at potential qualifying events during the qualifying period, you may consider multiple events or a single event. Either way, you should be able to weigh the advantages and disadvantages of opting for qualification through multiple events or for a single qualifying event.

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<th>Notable Observation About…</th>
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<tr>
<td>Single Qualifying Event:</td>
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<td>&gt; they are usually simple to conduct, however one bad day for your best athlete may mean that he or she is not going to the Games;</td>
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<td>&gt; strong candidates may be injured at the time of the single qualifying event thereby excluding them from the Games, even though they may recover on time for the Games;</td>
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<td>&gt; choosing a qualifying event too close to the Games will require your best athletes to peak twice in a short period of time;</td>
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<tr>
<td>&gt; to hold your event too early before the Games carries the risk of athletes’ relative performances changing by the time the Games come along.</td>
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> Use foresight, and establish steps to follow should exceptional circumstances present themselves (e.g.: injury outside of competition, injury during a qualifying event, faulty equipment, unexpected illness, disqualification of another athlete due to a doping infraction, etc.).

> If your criteria may lead to athletes tying, determine in advance on the basis of what criterion or criteria such a tie would be broken; make sure that this criterion is precise enough that it cannot lead to another tie.

c) Administrative Content

> Decide who will be responsible for applying the criteria. We suggest that it would be prudent to assign more than one person to this task, for example a selection committee, in this way you may prevent possible conflicts of interest and other issues related to unfairness.

> Establish in advance the parameters and procedures that will be followed should amendments to the selection criteria become necessary after the criteria have been adopted. A sound communication plan for this will be in order as is highlighted in the fourth step.

> Amendments are common, but they should take certain factors into account, such as possible disruption of athletes’ preparation, the impact these changes have on the current status of athletes in the selection process, etc. The amendments should take into consideration the time that has passed since the adoption of the selection criteria and the time remaining to the qualification period. Ensure that your athletes have a fair chance to reach their objectives and that your amendments do not create any injustices.

> Determine how and when athletes will be advised of the candidates selected. Again, keep in mind that the date chosen must provide athletes time to appeal, if they so choose and should therefore include an appeal deadline, as appropriate.

> Plan an appeal process specific to this criteria or refer to your general appeal policy, if applicable.
**Step 3 - Validation**

Once a draft policy is complete, it is essential to evaluate it. We really can learn from past experience. Do not hesitate to use your human and statistical resources to validate or change your draft selection criteria.

**BEST PRACTICES**

> Test your criteria against performance results from previous years and look at what would have happened had this selection policy been in place. Would it have yielded the best team possible?

> Test your criteria by asking a neutral but experienced person in the domain to evaluate them. This person can be a former athlete, coach or technical director in your sport. He or she could also have experience in a different sport, such as one that uses similar competition formats or scoring/ranking schemes. What is important is that the individual have no vested interest in your selection criteria in order to review the criteria objectively and constructively.

> Once the selection criteria have been drafted, communicate them to your athletes, and allow them to comment on what you are preparing to adopt; after all, they will be the ones who will have to understand what is expected of them in order to make the team. If your criteria and process are clearly laid out and understandable from an athlete’s perspective, you will reduce the risks of disputes later on.

> Compile the comments received and, if you judge it appropriate given the circumstances, provide a formal response (in writing or in person) to the individuals whose suggestions were not retained. Let these individuals know of the attention given to their recommendations, and explain why they were not included.

**Step 4 - Communication and Implementation**

This step is one of the most important in your process. There is no value to having the perfect selection policy if your athletes don’t know about it and therefore cannot apply it correctly. It is also the step from which many disputes emerge.

Communicating your criteria to athletes is one of the keys to your success. **Spare no effort!**

**THE MUSTS**

> Translate your documents to ensure that they are in both official languages (English and French). Be wary of cheap translators. They may save you a few dollars at that stage, but a badly translated selection policy increases the risks of the criteria being misunderstood, misapplied, or simply yielding different results than intended.
> Prepare an effective communication plan to reach all of the athletes affected by your selection criteria; a plan that goes beyond simply posting it on your website. Go down your hierarchy one step below the level that you think is targeted by the policy. You never know when an athlete will surprise you!

> Clearly advise your athletes of any changes made to the initial criteria by phone, in person, via e-mails, etc. Obtain confirmation that they have received your advice and understand its content. Post changes clearly on your website.

> Apply the selection criteria as intended and as communicated.

**BEST PRACTICES**

> Use **all** methods of communication judged pertinent: website postings, mailings, faxes, e-mails, meetings during training camp, annual general meeting or other meetings, telephone calls; Involve your athlete representative and coaches in the communication process; they can help you find the best channels to transmit information to targeted athletes.

> Prepare a guide or quick reference document containing highlights of the policy (e.g.: mandatory training camps and qualifying competitions).

> Have all athletes potentially affected by this selection policy sign a document confirming that they have read, understood, and agreed with the criteria and the process. This will be an incentive for athletes to actually read the policy!

> Allow them to contact a designated resource person (like a coach or a high performance director) to ask questions and clarifications if they are unsure of what the criteria mean. Be sure to keep a record of any interpretation and ensure consistency in the answers provided. If one element of your policy appears to generate many questions, do not hesitate to publish an addendum to clarify its meaning.

> Once your team has been announced according to the established rules, athletes who were not selected may want to learn the reasons for this without having to file a formal appeal. You may provide them with the opportunity to understand the selection process that took place and how best to succeed the next time. Do not hesitate to plan a meeting or discussion with these athletes and let them know that, while they were not selected, they are important to your organization and were considered.
In short, the responsibility of the NSO is to establish a selection process that is as simple and precise as possible and to ensure that its athletes (and other team members) are evaluated in a uniform and fair manner, to avoid any possible conflicts of interest. Widely communicate the criteria and any changes in as many ways as possible; this will prevent misunderstandings, or worse, disputes that will have to be resolved by the SDRCC.

Writing and publishing a well thought-out selection policy long in advance of the start of the selection process will inspire trust and confidence among the athletes. Never underestimate the power of consultation and collaboration in order to get buy-in.

Additional Resources

The staff at the Sport Dispute Resolution Centre of Canada: www.sdrcc.ca / 1-866-733-7767

The Centre for Sport and Law: www.sportlaw.ca / 905-682-6098

A legal representative: You may consult the list of legal representatives on the SDRCC website under Dispute Prevention Resource Centre/Legal Representatives at http://www.sdrcc.ca/eng/dispute-resource-legal.cfm

The staff of your Canadian Sport Centre: For a list of Canadian Sport Centres, visit: http://www.pch.gc.ca/progs/sc/csc_e.cfm

The Jurisprudence Database of the SDRCC available at http://www.sdrcc.ca/eng/dispute-resource-databases-jurisprudence.cfm