



Beijing 2022

INTERNAL NOMINATION PROCEDURES

The purpose of this document is to outline the qualification process and selection procedures of Curling Canada for determining those athletes who will be selected to represent Canada at the Beijing 2022 Games as a member of Team Canada.

Should any event specified in this INP be cancelled, postponed, rescheduled, or replaced, *Curling Canada* shall update the nomination procedures indicated in this INP, as applicable, as soon as reasonably possible and shall communicate any modifications to all impacted individuals, as well as publish the modified INP on its website, prior to the cancelled, postponed, rescheduled or replacement event.

DECISION MAKING AUTHORITY

The Director, High Performance is responsible for developing and approving the selection process and procedures for the team that will be nominated to the COC for the 2022 Games.

The Director, High Performance will designate National Coaches to support the 3 Olympic Teams as required and within the COC accreditation limitations and transfer decision making authority during Games time.

Final decisions on the nomination of athletes to the 2022 Games shall be made by the Chief Executive Officer, on the basis of recommendations by the Director, High Performance.

ON-SITE DECISION-MAKING AUTHORITY

During the actual competition period onsite at the 2022 Games, all final decision-making authority will reside with the National Coach of the specific discipline (Men, Women, Mixed Doubles) & the Team Leader

PURPOSE

This document outlines the process to identify and select the best athletes in qualification for events towards becoming Team Canada and to producing the best potential for podium results in Beijing. The Canadian Curling Trials is the final competition leading to the declaration of Team Canada, while the Pre-Trials Event will provide an additional 'last chance qualification' opportunity to the Trials.

CURLING CANADA INTERNAL NOMINATION PROCEDURES - MEN'S/WOMEN'S

In order to be eligible to compete in the Pre-Trials Event, the Canadian Curling Trials and Olympic Games, an athlete shall:

- (a) be a member in good standing of Curling Canada.
- (b) be a Canadian citizen, as per Rule 41 of the Olympic Charter.
- (c) have a valid Canadian passport does not expire before September 15, 2022.
- (d) be in compliance with all relevant IF and IOC requirements for eligibility.

- (e) sign, submit and comply with the COC Athlete Agreement and Organizing Committee (OCOG) Conditions of Participation Form by the submission deadline as established by the COC.

The Pre-Trials Event will be held from October 26 to 31, 2021. The Canadian Curling Trials will be held from November 20 to November 28, 2021 in Saskatoon, SK.

All athletes pre-qualified to compete in the 2021 Canadian Curling Trials and to the 2021 Canadian Curling Pre-Trials will be required to sign the Canadian Curling Trials participation Agreement by June 30th, 2021.

The Canadian Curling Trials will be comprised of 9 teams per gender. A 9 team round robin, followed by a 3-team playoff will be the competition format used at the Trials. The Curling Canada Director of High Performance will nominate the respective winners of the Canadian Curling Trials to the COC for selection to the Olympic team no later than January 19th, 2022.

The rules and regulations of Curling Canada, as covered in the event Competitor Guide, will be used to govern all aspects of the Canadian Curling Trials and Pre Trials Event.

All appeals relating to the Olympic qualification process will be facilitated by the Curling Canada Dispute Settlement Mechanism (Appendix 1).

9 Women's and 9 Men's Teams will Qualify for the 2021 Canadian Curling Trials

There are two paths to qualify for the Canadian Curling Trials – The Curling Trials and the Pre-Trials Event.

1. Direct Qualification into the *Canadian Curling Trials* – 7 Teams per gender

Teams who have Qualified as of April 2021:

- Teams Rachel Homan and John Epping – 2019 Canada Cup Champions
- Teams Kerri Einarson and Brad Gushue - 2020 Scotties Tournament of Hearts and Brier Champions
- Teams Tracy Fleury, Jennifer Jones, Brad Jacobs, Brendan Bottcher and Kevin Koe – Teams that were ranked in the Top 3 of the CTRS for the 2018-19 or 2019-20 seasons.
- The winner of the 2021 Scotties Tournament of Heart and the 2021 Tim Hortons Brier will be awarded direct entry into the Canadian Curling Trials. (If not already qualified)

Teams who will qualify for the balance of 7 direct spots to Curling Trials.

Teams who meet any of the below criteria (not already qualified) will be invited to compete for the remaining direct entry spots in a Curling Trials Direct Qualifying Event in early October of 2021.

1. Eligible teams* from the Top 9 on the CTRS in 2019-20
2. Canadian teams in the Top 18 of the World Curling Team Ranking (WCTR) as of Aug 31, 2020
3. Eligible teams* from the Top 7 on the CTRS in 2018-19

**Eligible teams for CTRS – 3 of 4 team members must have been CTRS registered for the 2020-21 season*

The number of remaining direct qualification spots available is dependent on the Scotties & Brier winners. (Women 2 or 3 spots, Men 1 or 2 spots).

Teams who do not earn a trials spot playing in the Curling Trials Direct Qualifying Event will advance to the Pre-Trials Event for a chance to earn one of the final 2 spots into the Olympic Curling Trials.

2. Curling Pre-Trials Event - 2 Trials spots per gender

The Curling Pre-Trials Event will be held October 26-31, 2021. Up to 16 teams per gender will be competing to determine the final teams that will qualify for the Canadian Curling Trials. The qualification process for the Curling Pre-Trials has not been finalized due to the cancellation of many competitions this season and the uncertainty around when competition can resume. The Curling Pre-Trials spots may be awarded from the any of the following avenues:

- Teams who competed but did not qualify through the Curling Trials Qualifying Event
- Top ranked teams on the WCTR, registered on the CTRS by May 31, 2021
- Top ranked teams on the CTRS (if re-started to an acceptable standard in Fall 2021)
- Direct entry qualifying event(s) as designated by Curling Canada.
- Potential Curling Canada selection process (based on the uncertainty around how the start of the 2021-22 curling season will be affected by the COVID-19 pandemic)

2019 / 2020 CTRS

Rank	Team (Province)	Points
1	Kerri Einarson (Manitoba)	420.069
2	Tracy Fleury (Manitoba)	404.325
3	Jennifer Jones (Manitoba)	341.765
4	Rachel Homan (Ontario)	325.931
5	Chelsea Carey (Alberta)	230.255
6	Kelsey Rocque Alberta)	198.056
7	Laura Walker (Alberta)	172.405
8	Corryn Brown (British Columbia)	168.227
9	Suzanne Birt (Prince Edward Island)	144.430

2019 / 2020 CTRS

Rank	Team (Province)	Points
1	Brad Jacobs (Northern Ontario)	483.766
2	John Epping (Ontario)	445.311
3	Brad Gushue (Newfoundland / Labrador)	395.747
4	Brendan Bottcher (Alberta)	347.977
5	Mike McEwen (Manitoba)	317.716
6	Kevin Koe (Alberta)	277.610
7	Matt Dunstone (Saskatchewan)	254.711
8	Jason Gunnlaugson (Manitoba)	236.888
9	Glenn Howard (Ontario)	184.546

World Curling Team Ranking (WCTR) Aug. 31, 2020

Rank	Team (Province)	Points
2	Kerri Einarson (Manitoba)	420.069
3	Tracy Fleury (Manitoba)	404.325
5	Jennifer Jones (Manitoba)	341.765
8	Rachel Homan (Ontario)	325.931
16	Kelsey Rocque (Alberta)	192.74

World Curling Team Ranking (WCTR) Aug. 31, 2020

Rank	Team (Province)	Points
1	Brad Jacobs (Northern Ontario)	483.766
2	John Epping (Ontario)	445.311
3	Brad Gushue (Nfld/Labrador)	395.747
4	Brendan Bottcher (Alberta)	347.977
7	Mike McEwen (Manitoba)	317.716
10	Kevin Koe (Alberta)	277.610
11	Matt Dunstone (Saskatchewan)	254.711
13	Jason Gunnlaugson (Manitoba)	236.888
18	Colton Flasch (Saskatchewan)	196.835

Ineligible - teams do not meet the 3 of 4 player CTRS requirement for the 2020/2021 season

2018 / 2019 CTRS

Rank	Team (Province)	Points
1	Rachel Homan (Ontario)	529.715
2	Kerri Einarson (Manitoba)	496.955
3	Jennifer Jones (Manitoba)	362.646
4	Chelsea Carey (Alberta)	323.572
5	Casey Scheidegger (Alberta)	276.421
6	Robyn Silvernagle (Saskatchewan)	269.493
7	Tracy Fleury (Manitoba)	259.809

2018 / 2019 CTRS

Rank	Team (Province)	Points
1	Brendan Bottcher (Alberta)	494.058
2	Kevin Koe (Alberta)	485.595
3	John Epping (Ontario)	362.112
4	Brad Jacobs (Northern Ontario)	353.420
5	Brad Gushue (Newfoundland / Labrador)	317.812
6	Glenn Howard (Ontario)	294.349
7	Matt Dunstone (Saskatchewan)	286.121

SELECTION OF THE ALTERNATE PLAYER

The selection of the alternate player for both the men's and women's Olympic Team will be made by the Director, High Performance and the National Coach in consultation with the nominated Olympic Teams. The selected alternate player may be a different player than one who assumed that role at the Canadian Curling Trials.

There are no restrictions on the selection of an alternate player in terms of club or Provincial/Territorial Association membership as there is for the Canadian Men's and Women's Championship. The team should select an alternate player for the Games with the intent to secure the best player available to them without restriction.

The Director, High Performance will nominate the alternate athlete to the COC for selection to the Games team no later than January 19th, 2022.

Injury

If an athlete is determined to be injured (or ill) by the National Coach because of having completed an injury/health status assessment by Curling Canada's assigned Chief Medical Officer, the National Coach shall decide if the athlete will be sufficiently recovered to be nominated to the Olympic Team prior to the COC nomination deadline/team selection date. Injuries or illnesses that occur after the nomination deadline will be dealt with similarly, and subject to the OCOG Late Athlete Replacement Policy. If an athlete is injured during the Games, a decision regarding their continued participation at the Games will be made by the Chef de Mission Team, in consultation with the COC Chief Medical Officer, Olympic Team Leader, National Coach and the Integrated Support Team (IST) member responsible for the sport, and the athlete, and shall be governed by the terms of the Team Canada Athlete Agreement.

Removal of an Athlete

- The National Coach in conjunction with the Team Leader & Director, High Performance may, at any time, and at their discretion, remove an athlete from the Canadian Team if, after following the relevant and applicable disciplinary process, the athlete has been found to have violated Curling Canada's Code of Conduct. Curling Canada will advise the affected athlete, in writing, of their decision to remove them from the Canadian Team.
 - As applicable, an athlete may not be nominated or will be removed from the Olympic Team if, they have been subject to a period of ineligibility or a provisional suspension by any anti-doping
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organization with authority over the athlete and the period of ineligibility or provisional suspension will be in force during the qualification period or the Games.

CURLING CANADA INTERNAL NOMINATION PROCEDURES – MIXED DOUBLES

In order to be eligible to compete in the Canadian Mixed Doubles Curling Trials and Olympic Games, an athlete shall be:

- (a) be a member in good standing of Curling Canada.
- (b) be a Canadian citizen, as per Rule 41 of the Olympic Charter.
- (c) have a valid Canadian passport does not expire before September 15, 2022.
- (d) be in compliance with all relevant IF and IOC requirements for eligibility.
- (e) sign, submit and comply with the COC Athlete Agreement and Organizing Committee (OCOG) Conditions of Participation Form by the submission deadline as established by the COC.

The Canadian Mixed Doubles Curling Trials will take place December 29, 2021 to January 2, 2022

All athletes competing in the Canadian Mixed Doubles Canadian Curling Trials will be required to sign the Participation Agreement by November 15th, 2021.

The Mixed Doubles Canadian Curling Trials will be comprised of 16 teams in two pools of 8. The Curling Canada Director, High Performance will nominate the respective winners of the Canadian Curling Trials to the COC for selection to the Olympic team no later than January 19th, 2022. The rules and regulations of Curling Canada, as covered in the event Competitor Guide, will be used to govern all aspects of the Canadian Mixed Doubles Canadian Curling Trials.

The Director, High Performance will designate National Coach(es) to support the Mixed Doubles Olympic Team as required and within the COC accreditation limitations.

All appeals relating to the Olympic qualification process will be facilitated by the Curling Canada Dispute Settlement Mechanism (Appendix 1).

2021 Canadian Mixed Doubles Trials Process

Curling Canada will maintain the 16-team field at the 2021 Mixed Doubles Curling Trials and will qualify the 16 teams as follows:

- A. (4) Top Teams on the 2019-20 CMDR (as of May 1, 2020)
 - Jocelyn Peterman / Brett Gallant
 - Jennifer Jones / Brent Laing
 - Nancy Martin / Tyrel Griffith
 - Rachel Homan / John Morris
- B. (2) 2021 Canadian Mixed Doubles Curling Championship (Calgary, AB).
- C. (2) Regional Tier 1 MD Bonspiel Qualifiers in the 2021-22 season (dates and location TBD).
- D. (4) Top Teams from the CMDR (as of December 14, 2021).
- E. (2) Top Teams from the CMDR, excluding CTRS (as of December 14, 2021).
- F. (2) Last Chance Bonspiel Qualifier – December 10-13, 2021. (Invites will be based on the CMDR rankings as of November 28th, 2021)

CMDR will be best 7 events (max 3 CTRS) from March 15, 2019 to December 14, 2021.

To be eligible for a CMDR invite, each player must compete in a minimum of two (2) CMDR events.

For criteria B, C and F – to be eligible for a trials spot, the teams must finish within the top 4 at the listed event.

If an invited team declines one of the above spots or has multiple invites, that team will be replaced by the next ranked team not already invited from the CMDR (as of December 14, 2021) until the 16-team field is filled.

Replacement Mixed Doubles Player for Trials

Members of the four-player men's and women's curling team representatives for the 2022 Olympics will not be eligible to participate in the 2021 Mixed Doubles Curling Trials.

If both players from a Mixed Doubles Trials-eligible team are competing at the 2022 Olympics, the first team on the waiting list will replace that team. If a Mixed Doubles team has an individual player competing at the 2022 Olympics, they will have an opportunity to replace that player.

The replacement player must have been playing on a Men's or Women's team ranked in the top 12 of the Canadian Team Ranking System following the 2020-21 season, or on a Mixed Doubles Team ranked in the top 20 as at November 1, 2021. Deadline to re-submit your new team line up is December 14, 2021

If two (2) or more teams decide to not re-submit a team for the 2021 Mixed Doubles Curling Trials, the event will become a 14-team round robin event with two pools of seven (7). Playoff format will remain the same. There will be three (3) teams placed on a waiting list based on the CMDR. The waiting list teams will advise Curling Canada by November 3, 2021, if they wish to be placed on the waiting list knowing that the possibility to participate in the Canadian Mixed Doubles Curling Trials will not be known until December 15, 2021.

UNFORESEEN/EXTENUATING CIRCUMSTANCES

In the event of unforeseen circumstances beyond the control of Curling Canada that prevent the High Performance Director from fairly implementing these internal nomination procedures as written, Curling Canada Management in consultation with the Curling Canada Board of Governors shall have the full discretion to resolve the matter as they see fit, taking into account factors and circumstances that they deem relevant. If any extenuating circumstance arises during or after the Canadian Mixed Doubles Curling Trials [e.g. injury] and is not included in Curling Canada's appeal procedure [see Section V], it shall be dealt with by Curling Canada Management in consultation with the Curling Canada Board of Governors.

CHANGES TO THIS DOCUMENT

The High Performance Director reserves the right to make changes to this document that are necessary to ensure selection of the best teams possible for the 2022 Olympic Games. Any changes to this document shall be communicated directly to all athletes and coaches potentially impacted by the change. This clause shall not be used to justify changes after a competition or trials, which formed part of the internal nomination procedure unless it is related to an unforeseen circumstance. The purpose of this section is to allow for changes to this document that may become necessary due to a typographical error or a lack of clarity in a definition or wording before it has an impact on athletes. The purpose of such changes must be in order to avoid disputes over the meaning of the provisions of this document rather than to allow changes to be made to justify selection of different athletes than would have otherwise been selected. Such changes must be reasonably justifiable in accordance with fundamental principles of natural justice and procedural fairness. In the event of a change to this document Curling Canada shall inform the COC of the changes and the reasons for those changes as soon as possible



APPENDIX 1

OBLIGATIONS OF COMPETITORS AND COACHES & DISPUTE SETTLEMENT MECHANISM

The competitor/coach shall comply with all reasonable directions and instructions given to them by the Association and its representatives, coaches and management. Without limiting the generality of the foregoing, the competitor/coach is obligated to comply with the following:

- i. to avoid any action or conduct that reflects adversely upon the association and its athletes, teams, coaches, officials, statisticians, ice technicians, employees, officers, directors, members or sponsors, and agrees at all times to conduct himself/herself in a manner which will bring credit to the Association and the specific parties names above;
- ii. to rely upon and to utilize the hearing and appeal procedure that is in conformity with the generally-accepted principles of natural justice and due process for remedy of all complaints and issues on the basis that all such complaints and issue shall not be made public until the hearing and appeal procedure is first exhausted;
- iii. to avoid any action or conduct that would reasonably be expected to significantly disrupt or interfere with a competition or the preparation of any competitor/coach for competition;
- iv. to avoid the use of banned drugs in contravention to the rules of the World Curling Federation, Sport Canada and Canadian Curling Association policy and to submit at competitions and other reasonable times to random doping control testing upon request by the Association or other authority designated to do so by the Association;
- v. to avoid possession and/or use of anabolic drugs, and to neither supply these drugs directly or indirectly to others, nor encourage their use; and
- vi. to participate, as may be requested by the Association, in any doping control/education program formulated by the Association in co-operation with Sport Canada and the Canadian Centre for Ethics in Sport.

1. **Categories**

The appeal process regarding Canadian Curling Association (CCA) decisions is differentiated as follows:

- (a) Disciplinary measures and appeal process related primarily to the conduct of a Competitor/Coach at a competition, but which is also applicable to other conduct except conduct governed by the appeal process set out in subparagraph 1(b) below.
- (b) Appeal process related to a Competitor/Coach's status on the National Team, to AAP eligibility, or to decisions taken by the CCA pursuant to subparagraph 3(c)(vii) hereof.

2. **Definitions**

The words or phrases below shall have the following meanings in this document:

- (a) "AAP" means the Athlete Assistance Program funded by Sport Canada or any substitute or successor program.
- (b) SDRCC refers to the Sport Dispute Resolution Centre of Canada created by a Government of Canada initiative currently having its office located at Suite 950 – 1080 Beaver Hall Hill, Montreal, Quebec, H2Z 1S8.
- (c) A "competition" is any local, provincial, national or international event sponsored, promoted, endorsed or supported by the CCA or any CCA member association. A competition shall include the time frame covered by the entire time from the Competitor/Coaches departure to the competition locale for the purpose of competing in the competition through to and including arrival at home from the event.
- (d) A "Competitor/Coach" is any person who is participating or has participated as a member or Coach of any team in any local, provincial, national or international event sponsored, promoted, endorsed or supported by the CCA or a CCA member association, and whose members have signed a National Team agreement.
- (e) "National Team" means a team that has been selected by the CCA to represent Canada in World Championship or Olympic curling competitions, and the members of which have signed a National Team Athlete Agreement.

3. **Disciplinary Measures**

Disciplinary measures and appeal procedures related primarily to the conduct of a competitor /coach at a competition, but which is also applicable to other conduct of a competitor/coach excluding only conduct to which paragraph 4 hereof applies.

- (a) The CCA shall have the right to implement and administer reasonable disciplinary measures arising from any Competitor/Coach's conduct (whether of a verbal or physical nature) occurring,
 - (i) during any competition, whether in the course of on ice play or at other times,
 - (ii) or at any other time and place.
 - (b) Such disciplinary measures may include but are not limited to,
 - (i) formal reprimand or verbal warnings;
 - (ii) formal reprimand (written);
 - (iii) temporary or permanent suspension of competition privileges;
 - (iv) dismissal from a team representing the CCA.
 - (c) Disciplinary measures imposed on a Competitor/Coach arising out of conduct referred to in subparagraph 3 (a) above shall be implemented in accordance with the following rules.
 - (i) The Director, Event Operations or an alternative person appointed by the CCA, shall have the sole right to impose any of the disciplinary measures referred to in subparagraph 2(b)(i) and (ii), and, if the conduct occurs during any competition, to suspend the Competitor/Coach from one game at the relevant competition.
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- (ii) Before imposing any disciplinary measure, the Manager of Event Operations, or other duly appointed person shall carry out an investigation including interviewing relevant witnesses and the involved Competitor/Coach.
 - (iii) The Director, Event Operations' or alternative person's decision shall not be subject to appeal.
 - (iv) If the Director, Event Operations or alternative person feels that the impugned conduct arising during a competition warrants more than a one game suspension, he or she shall immediately recommend to the CCA's Chief Executive Officer that an impartial non-conflicted member of the CCA Board hold a hearing at the relevant event city to determine whether or not further suspensions are appropriate. If the impugned conduct occurs outside a competition (3(a)(ii)) and the appointed alternative person recommends Section 3(b)(iii) or (iv) disciplinary measures he or she shall make a similar recommendation to the CCA's Chief Executive Officer that a impartial non-conflicted member of the CCA board hold a hearing.
 - (v) Upon receipt of such recommendation, the Chief Executive Officer shall forthwith identify an impartial non-conflicted member of the CCA Board to convene such a hearing.
 - (vi) The board member so appointed shall convene a hearing at the event city as soon as possible but, no later than 24 hours after his/her appointment, and he/she shall give notice to the Manager of Event Operations or alternative person and to the impugned Competitor/Coach of the time and place of the hearing.
 - (vii) The Competitor/Coach and Manager of Event Operations or alternative person shall have the right to representation by legal counsel at the hearing, to present evidence by way of affidavit, and to present argument. For sake of expedience and cost reduction, the hearing may proceed by way of written submissions, and/or telephone conference or video conference with such safeguards built in as the adjudicating board member feels necessary to protect the parties.
 - (viii) At the conclusion of the hearing, the adjudicating board member shall either:
 - (a) dismiss the recommendation for further suspension; or
 - (b) suspend the impugned Competitor/Coach from one or more of the remaining games at the relevant event, or in the case of conduct referred to in 3(a)(ii) from the next competition,
 - (c) recommend further suspensions as referred to in paragraph 3(c)(x) below.
 - (ix) The decision of the adjudicating board member concerning suspensions from one or more of the remaining games at the relevant event shall not be subject to appeal or further hearing.
 - (x) If the adjudicating board member finds that the improper conduct warrants consideration by the CCA Board for suspension from other competitions or in the case of conduct referred to in 3(a)(ii) above, from competitions other than the next competition, or for dismissal from a team representing the association, he or she shall prepare and deliver a report to the CCA Chair and to the impugned Competitor/Coach setting out all relevant facts found at the
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hearing, brief summaries of witnesses statements indicating which portions were accepted and which portions were rejected, disciplinary measures recommended, and the reasons for the disciplinary measures recommended, within five (5) days after the conclusion of the hearing.

- (xi) The impugned Competitor/Coach shall have ten (10) days after receipt of such report to prepare and deliver a written reply to the CCA Board. The Board shall meet, as soon as reasonably possible after the reply to the report has been received, or the ten (10) day period has elapsed, to consider the report and reply, if any.
 - (xii) After reviewing the report and reply, if any, the CCA Board shall determine what, if any, discipline measures should be imposed on the impugned Competitor/Coach, and shall advise him or her in writing forthwith after making such determination.
- (d) Disciplinary measures imposed on a Competitor/Coach pursuant to 3(c)(xii) above shall be subject to the appeal procedure referred to in paragraph 4 below.

4. **Appeal Procedures**

Appeal procedures related to National Team status and/or AAP funding eligibility and subparagraph 3(c)(xii) above.

- (a) The following appeal process shall apply to,
 - (i) all decisions made by the CCA pursuant to paragraph 3(c)(xii) above, and
 - (ii) all disputes between Competitor/Coach arising out of a National Team Athlete agreement including but not limited to National Team eligibility and AAP funding eligibility.
 - (b) The party wishing to initiate the dispute settlement process set out below shall deliver a written request for mediation both to the CCA and to the SDRCC office at Suite 950 - 1080 Beaver Hall Hill, Montreal, Quebec, H2Z 1S8.
 - (c) The dispute shall then proceed to mediation in accordance with the SDRCC procedures which are available at <http://www.crdsc-sdrcc.ca/> (the Code) or by contacting the Canadian Curling Association.
 - (d) The parties agree that the time limit referred to in RM-15 in Appendix 1 shall be 30 days.
 - (e) In the event the parties are unable to reach a settlement with the assistance of the SDRCC mediator, either party may, within 30 days after the mediation process has ended, submit the issues in dispute to arbitration pursuant to the SDRCC arbitration provisions (available at <http://www.crdsc-sdrcc.ca/>) and both parties agree that any issues so submitted to arbitration shall be finally determined by such arbitration in accordance with the provisions of the SDRCC CODE. In particular, without limiting the generality of the application of the entire SDRCC CODE to the resolution of all disputes between the parties arising out of or connected in any way with this agreement, the parties agree that the arbitrator's award shall be final and binding on the parties and
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“shall not be open to question or review in a court.” For greater certainty the arbitration proceedings shall not be subject to review by injunction, prohibition, judicial review, or other process or proceeding in a court and shall not be removable by certiorari or otherwise to a court.

5. General Provisions

- (a) The dispute settlement provisions set out herein represent the sole and only recourse a Competitor/Coach or the CCA may have concerning the aforementioned disputes. Neither the Competitor/Coach nor the CCA shall attempt to resolve any such dispute in a court or in any other tribunal except as provided herein.
 - (b) Where urgency such as when a Competitor/Coaches eligibility to participate in an imminent competition compels a shortening of the time lines set out above or skipping of any of the steps leading to final resolution of the dispute, the parties shall forthwith convene a telephone conference call or meeting to discuss the dispute and shall use their best efforts to agree to a process to resolve the dispute. In such cases the preferred process may be to submit the dispute to an urgent SDRCC arbitration. The provisions of this subparagraph 5(b) do not apply to disciplinary measures imposed pursuant to 3(c)(i) hereof.
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