

Article 107 Interpretations:

Inclusion of Swimmers with Disabilities at USMS Sanctioned and Recognized Meets

Article 107 of the USMS rule book provides guidelines for referees, coaches, and swimmers with respect to rule modifications and disability accommodations.

USMS Policy

The meet referee has the final decision on making accommodations during competition. If a swimmer, coach, meet officials, or the LMSC requests additional guidance prior to a meet, the USMS Rules Committee Chair may consult with the swimmer, meet officials, members of the Sports Medicine Committee, and other appropriate subject matter experts to offer guidance and suggestions for possible accommodations for the swimmer aligned with the rules. While the final decision rests with the referee, the USMS rules committee chair will provide guidance on the interpretation of article 107 for consistency. Per 102.14.4, protests concerning interpretation of part one rules may be submitting in writing to the rules committee chair within 10 days of the meet.

The following is a summary of responsibilities and provisions to consider when determining disability accommodations.

Referee Responsibilities

According to Article 107, the Referee has the authority to modify the rules for a swimmer with a disability. The Referee acts in response to a request for specific modifications from the coach or the athlete with a disability.

The Referee should consider the following issues when making a decision:

- *Does the athlete have a permanent physical or cognitive disability that substantially limits one or more major life activities (Article 107.1.1)?* If the disability is not obvious from the coach's or athlete's description, the Referee might ask when the disability started and when it is expected to end (question of permanence). The Referee could also ask whether or how the disability interferes with home life, community activities, or school/work (does the disability affect major life activities). The Referee is expected to apply common sense – not to evaluate detailed medical evidence or otherwise demonstrate expertise about disability. Disability accommodations are not intended to cover temporary conditions such as illnesses, injuries, recovery from medical procedures, and the like.
- *Does the proposed modification facilitate participation by the swimmer with a disability?* The spirit of Article 107 is to facilitate the inclusion of persons with disabilities in USMS programs, including swim meets. Note the emphasis on participation – not necessarily on modifications that would make the swimmer more successful in competition.
- *Is the proposed modification fair to other swimmers in the event?* Modifications must not provide an unfair advantage to the swimmer with a disability, nor should modifications interfere with the opportunities of other swimmers to compete. (Per article 107.1.2B(3), aids to speed, pace, or buoyancy not permitted under any circumstances. See article 107 for possible modifications.)
- *Is the proposed modification feasible?* Possible concerns include the meet timeline or facility limitations; however, these concerns should not squelch efforts to include the swimmer with a disability. Instead the Referee, athlete, and coach should collaborate to determine an appropriate method of inclusion.

The standard of determination for Referee decisions is common sense. Per Article 102.13.8, the Referee's decision shall affect only the current meet and shall not set precedent for modifications at other competitions. There is no appeals process, except as outlined in 102.14.4 (interpretations of part one rules).

Referees are welcome to contact the USMS Rules Committee Chair (rules@usms.org) for additional guidance.

Coach/Athlete Responsibilities

The coach (or the athlete with a disability) has two responsibilities. First, the athlete/coach should contact the meet director to request disability accommodations, if any, which are needed at the meet facility. Examples could include preferred parking, wheelchair seating, use of a service animal, etc. It is courteous to make this request at the time entries are submitted, giving plenty of notice to the meet director.

Second, the athlete/coach should speak with the meet referee before the competition to provide a concise description of the athlete's disability and to request appropriate rule modifications or disability accommodations related to the actual competition. Examples of possible modifications are provided in Article 107.

Entering the Meet

Swimmers should note on the entry form (if possible) if there are any special seeding considerations. For example, a swimmer requesting to be seeded in an outside lane so that he swimmer can use a ladder for entry/exit or seeded on the same side of the pool as the starter to be able to see the strobe light more clearly. If the electronic entry form does not permit this type of notification, contact the meet director per the contact information provided in the meet announcement.

Before the Meet Starts

- Talk to the Meet Referee. Explain your requests for accommodations or modifications. Negotiate win-win solutions.
- Check the heat sheets to see if your entries might cause problems to other swimmers. If a heat includes only one swimmer without a disability, bring the situation to the attention of the Meet Referee so the heats can be arranged so that everyone has competition. This will usually occur only in the first heat of a typical meet (slow-to-fast seeding), or in the last heat when fast-to-slow seeding is employed.

During the Meet

- Remind the Referee about accommodations/modifications before the heat begins. Sometimes the Referee will annotate his/her copy of the heat sheet for all of the athlete's events, and this will only need to be done once. But sometimes they don't have all the heat sheets early in the meet, so reminders prior to each event will be helpful. It doesn't hurt to get the Referee's attention before each event.

LMSC Responsibility

Inclusion in Meets

Meet information – Meet hosts could include a sentence or two in the meet information that states that athletes with a disability are welcome and request athletes or coaches to provide advanced notice of requested accommodations.

Referees – Since officials from different organizations officiate at USMS meets, LMSCs should proactively educate referees on article 107 provisions and alert referees to the presence of swimmers with disabilities. Direct referees to contact the USMS Rules Committee Chair (rules@usms.org) for additional guidance.

Eligibility – USMS rules permit disability accommodations and rule exceptions in Article 107. Swimmers who have “a permanent physical or cognitive disability that substantially limits one or more major life activities” are encouraged to participate.

Seeding – If an athlete/coach requests special seeding and the referee approves this accommodation, they should collaborate to determine appropriate methods of inclusion. The special seeding arrangement needs to be fair to the swimmer with a disability and to other swimmers and have little to no impact on the meet timeline. Special seeding may include swimming out-of-event (competing in a 100 while other swimmers compete in a 200). Special lane assignments may include seeding a swimmer who is deaf/hard of hearing

closer to the starter.

Facility Accommodations – The LMSC should encourage meet hosts to make common-sense adjustments to their venues to accommodate the needs of athletes with a disability. Such adjustments may include non-slip step stools, mats at the starting end of the pool, and nearby parking. Swimmers with a disability may have a personal assistant on deck.