



**Certification Renewal Recommendation Report for
USA Diving**
December 7, 2022



**UNITED STATES
OLYMPIC & PARALYMPIC
COMMITTEE**



USA Diving Certification Renewal Executive Summary

In January 2022, the United States Olympic and Paralympic Committee (USOPC) Certification Review Group (CRG), in accordance with the USOPC's NGB Certification Policy, began a certification renewal review of USA Diving.¹ The CRG evaluated USA Diving and, based on input from CRG members and the results of NGB Audit's 2021 audit², recommends a certification status of Renewal in Good Standing.

The CRG's review of USA Diving found that the organization is meeting the USOPC's NGB Compliance Standards in the five core areas of evaluation for certification: Governance and Compliance, Financial Standards and Reporting Practices, Athlete Protections and Rights, Sport Performance, and Operational Performance. NGB Audit's 2021 Compliance Audit identified areas where USA Diving was not yet fully meeting the USOPC's NGB Compliance Standards, but USA Diving took action to remediate the identified issues and meet the NGB Compliance Standards by the time of the CRG's review, though one finding requires longer term action before it can be closed.

CRG members agreed that USA Diving is presently meeting the requirements and expectations for an NGB. In its discussions of USA Diving's interactions with the USOPC, the CRG did not identify any operational concerns or cultural issues that would prevent the organization's continued certification. Overall, in the areas in which CRG members had interacted with USA Diving, the CRG had a generally favorable view of USA Diving's operations.

As a result of this review, the CRG recommends that USA Diving be granted a certification status of Renewal in Good Standing for a four-year certification term ending in 2026.

¹ See Appendix for more information about the certification process, including a link to the NGB Certification Policy.

² [NGB Audit Report](#) and [NGB Audit Addendum Report](#)



Organizational Overview

USA Diving is the USOPC-certified NGB for the sport of diving and is an affiliated organization of US Aquatic Sports, the US member to the Fédération Internationale de Natation (FINA, or the International Swimming Federation), the international federation that oversees the aquatic disciplines. USA Diving's mission is "to [provide] a safe environment for its members and the diving community as a whole as [it builds] the sport to achieve Olympic success." A full-time staff of six runs the NGB, which serves over 200 clubs nationwide.³

Certification History

USA Diving was originally certified in January 2021.⁴ The CRG's certification review was initiated based on USA Diving's scheduled quadrennial certification review. USA Diving's certification status has not been referred for review outside of the standard NGB certification review schedule.

Certification Exceptions⁵

USA Diving did not request any exceptions from the NGB Compliance Standards during its certification review.

Athlete Representation Approval and Exceptions⁶

USA Diving requested that the Athlete Representation Review Working Group (ARRWG) approve five international competitions as qualifying events for 10-Year and 10-Year+ status to expand the pool of athletes eligible to serve as athlete representatives. These competitions are:

- FINA World Championships
- FINA World Series Events
- FINA World Cup Competitions
- FINA Grand Prix Events
- FISU World University Games

The ARRWG approved these competitions dating back to 1980 based on the availability of reliable records and gender equity considerations for the competitions.

USA Diving also requested and received approval for five domestic competitions as qualifiers for 10-Year and 10-Year+ status to further expand the pool of qualified athletes. These competitions, which require athletes to qualify through a USA Diving-led procedure, are:

- US Olympic Diving Trials
- USA Diving Winter National Championships
- USA Diving Summer National Championships
- World Championship Trials
- FINA Event Qualifiers⁷

USA Diving also requested and received approval for eight committees to be defined as Designated Committees. These include:

- Ethics
- Committee for Competitive Excellence
- Athlete Advisory Council
- Board of Review
- Finance and Audit Committee
- SafeSport Committee

³ [About USA Diving](#)

⁴ Refer to the Appendix for details on the initial certification.

⁵ Refer to the Appendix for details on exception requests to the NGB Compliance Standards.

⁶ Refer to the Appendix for details on athlete representation exception requests.

⁷ "FINA Event Qualifiers" refers to qualification events for senior level international FINA diving events, but this generic terminology was approved by the ARRWG due to FINA's frequent changes to the specific names for these events.



- Allied Organizations Committee
- Nominations and Election Committee

The following committees were approved as Other Committees, as they do not deal with core issues affecting elite athletes to qualify as Designated Committees, but do otherwise require athlete representation:

- Masters Diving
- Coaches Advisory
- Coach Development
- High Dive
- Working Rules

In addition, USA Diving requested that the current athlete members of its board of directors be permitted to complete their terms before USA Diving is held to the athlete representation qualification requirements of the USOPC Bylaws and the NGB Compliance Standards.⁸ Fifty percent of athlete representatives on an NGB's board of directors must obtain 10-Year or 10-Year+ status from competing in an event on a Delegation Event program; however, the currently serving athlete representatives on USA Diving's board do not meet this requirement as it was implemented after their elections. The ARRWG approved this exception to the athlete representation requirements through the end of these members' current terms.

Certification Review⁹

Governance and Compliance

The CRG determined that USA Diving is fulfilling the Governance and Compliance-related responsibilities of an NGB. USA Diving has adopted and enforces a code of conduct, conflict of interest, and gifts and entertainment policies, has made these policies publicly available on its website, and has defined procedures to address violations of these policies.

NGB Audit initially found that USA Diving's bylaws and committee charters were missing some elements required by the NGB Compliance Standards, such as those related to the definition of an independent perspective for board members and committee member requirements. USA Diving revised these documents to fully meet the NGB Compliance Standards. NGB Audit also found that USA Diving's statement of ethics, code of conduct, and conflicts of interest policy were missing some required elements, which USA Diving added, and the documents now fully meet the NGB Compliance Standards. NGB Audit's testing, however, found that USA Diving did not have processes to ensure conflict of interest disclosures were received or reviewed annually. USA Diving refined its processes, and NGB Audit's follow-up testing confirmed that the issues had been resolved.

In reviewing governance, NGB Audit also found that USA Diving's formal onboarding processes required for new board members were not documented. USA Diving implemented an Onboarding Materials Distribution Policy, which it now follows and resolved the finding. Furthermore, the Masters Diving Committee did not have the required athlete representation. During remediation, NGB Audit found that USA Diving's Masters Diving Committee came into compliance with current athlete representation requirements.

In 2018, USA Diving was the subject of an NGB Compliance investigation that resulted in the issuance of a Demand Letter with required reforms related to its governance. USA Diving's management team addressed the requirements, and USOPC Compliance has not noted any issues since the investigation concluded and the required reforms were implemented. In addition, USA Diving has not been the subject of any compliance-related complaints filed with the USOPC's Dispute Resolution Unit in the last four years.

⁸ See USOPC Bylaws, Section 8.5.3, and NGB Compliance Standard A.1(a).

⁹ Refer to the Appendix for additional details on the review standards and process for information related to NGB Audit's 2021 audit of USA Diving.



The CRG received positive athlete feedback relating to USA Diving’s governance-related progress. An athlete noted they felt the organization was headed in the “right direction” and relayed that athlete sentiment is more positive in 2022 than it would have been in the recent past. The athlete felt that USA Diving management wants athletes to be heard, and that sentiment is reflected in the organization’s actions to improve and respond to athlete feedback.

Financial Standards and Reporting Practices

In its testing of USOPC funding agreements, NGB Audit found that USA Diving allocated one expense to two different projects, which overstated the funded amount in its 2020 final grant report to the USOPC. USA Diving corrected the report and repaid owed funds to the USOPC to remediate this issue. NGB Audit confirmed that the 2021 final grant report did not contain any errors.

NGB Audit also found that based on a 2019 audit of the organization, USA Diving had not demonstrated financial stability as required by the NGB Compliance Standards. In the 2019 audit, NGB Audit found that USA Diving should increase its financial capabilities, manage cash flow, and reduce debt to be a sustainable organization. USA Diving’s leadership demonstrated that it has taken significant steps to increase financial stability as reflected in 2020 and 2021 internal financial statements. Furthermore, the most recent available audited financial statements from 2019 do not list a going concern, but NGB Audit cannot verify positive trending in the financials until USA Diving submits its 2020 and 2021 audited financial statements. External auditors are currently reviewing these financial statements, and the 2021 finding for financial stability will remain open until NGB Audit can review them.

Athlete Protection and Rights

USA Diving maintains and enforces an athlete safety program consistent with the requirements of relevant federal law, as well as with the policies and standards of the USOPC and the U.S. Center for SafeSport (the Center). It also maintains an anti-doping program consistent with the requirements of the USOPC and the U.S. Anti-Doping Agency. The USOPC is not aware of any cases it has received in the past four years concerning USA Diving that should have been reported to the Center but were not reported in accordance with the Center’s reporting requirements. For its part, the USOPC has reported all matters to the Center relating to USA Diving that the USOPC was required to report.

In 2019, the Center conducted its most recent Administrative Audit of USA Diving’s implementation of policies required by the Center’s SafeSport Code and Minor Athlete Abuse Prevention Policies that resulted in a finding and direction for corrective actions. Specifically, USA Diving was required to implement a “new membership category for adult athletes...and track completion of the education and training requirement prior to these adult athletes having regular contact with minor athletes.” USA Diving took corrective action to resolve the Center’s finding and the Center confirmed USA Diving’s full compliance as of December 2019. An Event Audit of the 2021 USA Diving Winter Nationals by the Center resulted in no findings.¹⁰

NGB Audit found that USA Diving did not have formal documentation of how it enforces anti-doping sanctions as required by the NGB Compliance Standards. To remediate the finding, USA Diving updated its policies and procedures to reflect how it enforces sanctions. The CRG noted that the organization generally executed in accordance with the USOPC and the U.S. Anti-Doping Agency’s requirements.

Sport Performance

USA Diving is fulfilling its obligations in Sport Performance. The organization maintains and executes on a strategic plan that supports athletes in achieving sustained competitive excellence and grows the sport.

¹⁰ [US Center for SafeSport Event Audit Report – Winter Nationals, Bloomington, IN](#), December 13-14, 2021.



USA Diving established clear selection procedures for international competition, and successfully conducted team trials to fulfill those selection procedures in 2021.

Although the CRG noted no issues with USA Diving's execution of its sport performance and high-performance programs, NGB Audit found that USA Diving's event sanctioning documents did not contain all elements required by the NGB Compliance Standards. USA Diving updated its sanctioning documents to include all the necessary elements and resolved this finding.

Operational Performance

The CRG determined that USA Diving demonstrates the managerial capability to administer its sport and maintains adequate insurance to manage its risk, fulfilling its Operational Performance obligations.

NGB Audit initially found that USA Diving's Whistleblower Policy was missing elements required by the NGB Compliance Standards and that its established performance criteria for athlete support were not published online or in an athlete handbook. USA Diving revised the Whistleblower Policy and published its performance criteria on its website to resolve these issues. NGB Audit also found that USA Diving's strategic plan was out of date, which the USA Diving Board of Directors addressed by creating and approving an updated strategic plan.

NGB Audit found that USA Diving did not provide anti-discrimination training to staff as required by the NGB Compliance Standards, which USA Diving resolved by conducting training in February 2022. USA Diving maintains a 2021-2024 Diversity, Equity, and Inclusion Action Plan that describes its DE&I vision and strategy for the coming years. USA Diving submitted its action plan to the USOPC with sufficient detail, meeting the NGB's Compliance Standards. USA Diving's action plan contains six objectives, with initiatives targeted toward minoritized or marginalized populations, including but not limited to women and individuals from low-income areas. USA Diving's objectives not only include the expansion of athlete participation within these populations, but also increased opportunities for women and other minoritized populations with respect to coaching, judging, and board membership. In line with this objective, USA Diving will increase the availability of training opportunities and educational resources and materials for all members of USA Diving. The action plan includes initiatives to build specific programs to serve minoritized populations, to facilitate an increase in leadership participation by minoritized populations, to update NGB external communications strategies, and to explore a 'needs-based' membership option to lower barriers to entry into the sport.

Conclusion

The CRG has concluded that USA Diving is performing well based on CRG member input and the results of the NGB Audit team's report completed in September 2021. USA Diving has addressed all significant deficiencies identified in the CRG's review and there are no outstanding areas of concern affecting its certification status at this time. Accordingly, the CRG recommends that USA Diving's certification as a member organization of the USOPC be renewed with a rating of Renewal in Good Standing.



Appendix

Certification Renewal Process

The USOPC believes in a culture of strong governance, ethics, and compliance among the NGBs that, as member organizations of the USOPC, make up the Olympic and Paralympic movement. Recent amendments to the Ted Stevens Olympic and Amateur Sports Act, which became effective in late 2020, require the USOPC to certify NGBs.¹¹ The USOPC determined that as of January 1, 2021, all member organizations would be certified, and their certifications would be reviewed for renewal on a rolling basis every four years.¹²

Governed by the USOPC's [Certification Renewal Policy](#), the NGB certification review process is supported by a cross-functional body of professionals at the USOPC, the Certification Review Group (CRG), who interact with NGBs in their day-to-day work. These professionals evaluate an NGB's operations across multiple functional areas to provide a holistic review of an NGB's performance and culture.¹³ In addition to enumerated standards for NGB performance described in the Act, the Bylaws, and the USOPC's [NGB Compliance Standards](#), the CRG considers departmental observations about an NGB's operations that may not be identified in a formal audit scenario but are relevant to consider when evaluating an NGB's overall performance.

Certification Standards, Exceptions, and Review Components

As described in Section 8.4.1 of the [USOPC Bylaws](#), NGBs must satisfy certification requirements in five core areas: Governance and Compliance, Financial Standards and Reporting Practices, Athlete Safety, Sport Performance, and Operational Performance. The USOPC Implementation Guide for NGB Compliance Standards provides NGBs with specific guidance for how they will be evaluated in each of these core areas.

Section 8.4.2 of the USOPC Bylaws permits an NGB to submit a request for limited exceptions to any of the NGB Compliance Standards which, as a result of its overall structure or other extenuating circumstances, cannot or need not be reasonably met. The CRG evaluates all requests received and grants or denies such limited exceptions.

Various provisions of Section 8.5 of the USOPC Bylaws permit NGBs to seek exceptions related to minimum athlete representation requirements on boards and designated committees as well as exceptions or additions to which of its committees are considered designated committees. The Athlete Representation Review Working Group evaluates and approves or denies all requests made under Section 8.5.

¹¹ See §220521(a) of the Ted Stevens Olympic and Amateur Sports Act.

¹² NGB Certification Policy, Section 1.

¹³ The CRG uses a four-year lookback period during this review process.