



United States Olympic Committee

United States Olympic Committee SafeSport Audit of USA Baseball

October 2017

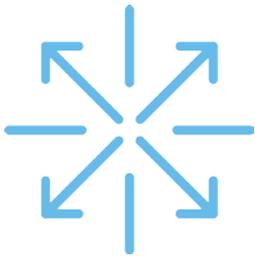
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USOC SafeSport Audit of USA Baseball

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¹ To consider the report in its entirety, please refer also to the detailed management response that will appear here [[Governance Documents](#)] within 90 days of the date of this report.



Executive Summary

Summary Observations

It shall be the policy of the United States Olympic Committee (USOC) that each National Governing Body (NGBs) adopt a Minimum Standards Policy for Athlete Safety Programs (Athlete Safety Standards) by December 31, 2013².

We noted the following opportunities to enhance the design of USA Baseball's compliance with the Athlete Safety Standards:

- > **Athlete Safety Standards - Prohibited Conduct** – USA Baseball has the prohibited conduct defined within the website. However, the applicable SafeSport-related documentation and administrative materials provide links that do not specifically link to the appropriate content (i.e., the link to the definition of harassment in the Code of Conduct and SafeSport takes users to the definition of hazing).
- > **Athlete Safety Standards - SafeSport Policy** – USA Baseball has a variety of educational and informational documentation available to their members and on their website. However; the information is not easily located or accessible within a comprehensive SafeSport policy.
- > **Athlete Safety Standards - Criminal Background Checks and Education and Training Testing** – Requiring criminal background checks and education and training is not consistently enforced by USA Baseball. The following exceptions were identified during our testing:
 - One individual selected for testing (10% of the selected individuals) did not have a criminal background check conducted during the testing period (i.e., May 1, 2016 through April 30, 2017); however, evidence was provided that the criminal background check were completed prior to issuing the audit report.
 - All ten individuals selected for testing (100% of the selected individuals) had no record of completing the education and training requirements during the testing period (i.e., May 1, 2016 through April 30, 2017); however, evidence was provided that two of the individuals had completed the education and training requirements prior to issuing the audit report.
- > **Athlete Safety Standards - Application of the SafeSport Policy** – USA Baseball's SafeSport-related documentation and administrative materials does not specifically define who is required to comply with the requirements in the Athlete Safety Standards.
- > **Athlete Safety Standards - Criminal Background Checks and Education and Training Policy Requirements** – USA Baseball's SafeSport-related documentation and administrative materials does not specifically include any context regarding requirements for criminal background checks or education and training requirements. USA Baseball does have documentation on their website and in other materials that references background checks and training materials, but does not specifically indicate the requirements as it related to SafeSport.

Background and Approach

USOC engaged Baker Tilly Virchow Krause (Baker Tilly), to assist the USOC in the completion of SafeSport audits, to assess compliance with SafeSport policies and

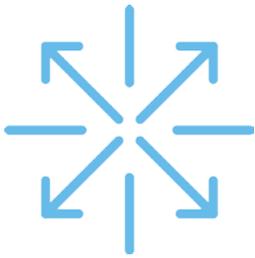


procedures at the USOC and all of its NGBs and High Performance Management Organizations (HPMOs).

Baker Tilly performed a review of USA Baseball to evaluate compliance with the Athlete Safety Standards. The following activities were performed for this review of USA Baseball:

- > Developed and executed an audit program that included:
 - Holding a virtual entrance meeting to discuss and document USA Baseball's SafeSport program and processes.
 - Selecting a sample of 10 from the required individuals to ensure a background check was performed and education and training was completed. See **Appendix A** for a list of documents reviewed.
 - Reviewing USA Baseball's athlete safety policy and determining whether the following was addressed:
 - Required misconduct is prohibited and defined;
 - Reporting procedures are documented; and
 - The grievance process is documented and complies with Athlete Safety Standards.
 - Identifying which individuals are required to undergo a criminal background check and complete education and training.
- > Conducted a virtual exit meeting, if requested, following delivery of the draft report, to discuss audit findings and recommendation(s) with USA Baseball. See **Appendix B** for a list of individuals interviewed.
- > Identified specific observations and recommendations regarding opportunities to enhance compliance with Athlete Safety Standards. Observations include the following attributes: criteria, condition, cause, effect and recommendation, as set out in the International Professional Practices Framework (IPPF) Standards and Practice Advisory 2410-1.

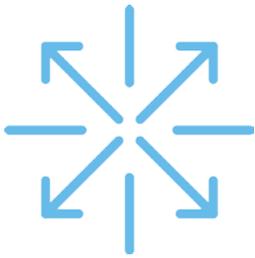
² Effective June 20, 2017 the USOC replaced the Athlete Safety Standards with the NGB Athlete Safety Policy. Due to the timing of this audit, fieldwork was performed in accordance with the Athlete Safety Standards.



Detailed Report

The tables below represent opportunities to enhance the design and effectiveness of USA Baseball's compliance with the Athlete Safety Standards.

1. Athlete Safety Standards - Prohibited Conduct	
Criteria	The Athlete Safety Standards requires that USA Baseball shall adopt an athlete safety program that prohibits and defines the following misconduct: Bullying, Hazing, Harassment (including sexual harassment), Emotional Misconduct, Physical Misconduct, and Sexual Misconduct (including child sexual abuse).
Condition	USA Baseball has the prohibited conduct defined within the website. However, the applicable SafeSport-related documentation and administrative materials provide links that do not specifically link to the appropriate content (i.e., the link to the definition of harassment in the Code of Conduct and SafeSport takes users to the definition of hazing).
Cause	USA Baseball may not have reviewed and updated its SafeSport-related documentation and administrative materials to include all of the requirements in the Athlete Safety Standards.
Effect	<p>USA Baseball must be in compliance with the Athlete Safety Standards to be a member in good standing. Noncompliance with the Athlete Safety Standards can result in disciplinary action by the USOC including withdrawal of high performance funding.</p> <p>Additionally, stakeholders (e.g., coaches, staff, officials, volunteers, etc.) may not be aware of the specific requirements of the Athlete Safety Standards and could be out of compliance with the requirements and/or may not be aware of the prohibited conduct. Also, athletes may have contact with stakeholders who are not aware of SafeSport misconduct and the potential impact to athletes' well-being.</p>
Recommendation	USA Baseball must update all applicable SafeSport-related documentation and administrative materials to define and specifically prohibit the six types of prohibited misconduct identified in the Athlete Safety Standards. Further, USA

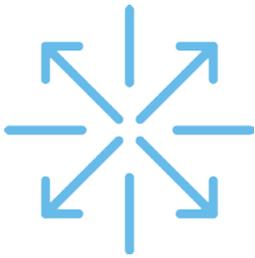


1. Athlete Safety Standards - Prohibited Conduct

	<p>Baseball should update the links included in their SafeSport documentation to the appropriate type of defined misconduct. Specially, USA Baseball must update the link to the definition of harassment. Compliance with these requirements must be completed within 90 days of receipt of the final audit report.</p>
<p>Management response</p>	<p>We agree with the condition and recommendation and will respond to the USOC with a detailed plan to ensure compliance with the current NGB Athlete Safety Policy. Our plan will be submitted to the USOC within the 90 day timeline referenced above.</p>

2. Athlete Safety Standards - SafeSport Policy

<p>Criteria</p>	<p>It shall be the policy of the USOC that USA Baseball adopt an athlete safety program by December 31, 2013. The athlete safety program shall include, at a minimum, the requirements set forth in the Athlete Safety Standards.</p>
<p>Condition</p>	<p>USA Baseball has a variety of educational and informational documentation available to their members and on their website. However; the information is not easily located or accessible within a comprehensive SafeSport policy.</p>
<p>Cause</p>	<p>USA Baseball has not adopted Athlete Safety Standards as required by the USOC as of December 31, 2013.</p>
<p>Effect</p>	<p>USA Baseball may not be aware of the specific requirements of the Athlete Safety Standards. USA Baseball must be in compliance with the Athlete Safety Standards to be a member in good standing. Noncompliance with the Athlete Safety Standards can result in disciplinary action by the USOC including withdrawal of high performance funding.</p> <p>Additionally, athletes may not be informed about SafeSport misconduct, its impact, and how to report misconduct, if necessary.</p>
<p>Recommendation</p>	<p>USA Baseball must formally create and/or update their SafeSport-related content to document a formal SafeSport</p>

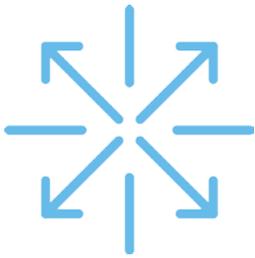


2. Athlete Safety Standards - SafeSport Policy

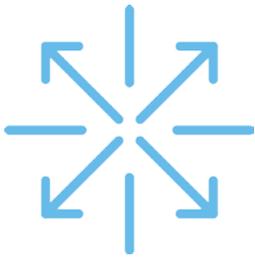
	<p>policy that can be made available to all stakeholders, which complies with the Athlete Safety Standards. Compliance with these requirements must be completed within 90 days of receipt of the final audit report.</p>
<p>Management response</p>	<p>We agree with the condition and recommendation and will respond to the USOC with a detailed plan to ensure compliance with the current NGB Athlete Safety Policy. Our plan will be submitted to the USOC within the 90 day timeline referenced above.</p>

3. Athlete Safety Standards - Criminal Background Checks and Education and Training Testing

<p>Criteria</p>	<p>The Athlete Safety Standards state USA Baseball shall require criminal background checks and education and training for those individuals it formally authorizes, approves, or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes.</p>
<p>Condition</p>	<p>Requiring criminal background checks and education and training is not consistently enforced by USA Baseball. The following exceptions were identified during our testing:</p> <ol style="list-style-type: none"> 1. One individual selected for testing (10% of the selected individuals) did not have a criminal background check conducted during the testing period (i.e., May 1, 2016 through April 30, 2017); however, evidence was provided that the criminal background check were completed prior to issuing the audit report. 2. All ten individuals selected for testing (100% of the selected individuals) had no record of completing the education and training requirements during the testing period (i.e., May 1, 2016 through April 30, 2017); however, evidence was provided that two of the individuals had completed the education and training requirements prior to issuing the audit report.
<p>Cause</p>	<p>USA Baseball may not be consistently tracking and monitoring compliance with the criminal background checks</p>

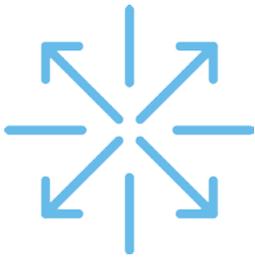


3. Athlete Safety Standards - Criminal Background Checks and Education and Training Testing	
	and education and training requirements of the Athlete Safety Standards.
Effect	Individuals USA Baseball formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes may not be in compliance with the SafeSport program because they have not completed criminal background checks and/or education and training prior to having contact with athletes. USA Baseball must be in compliance with the Athlete Safety Standards to be a member in good standing. Noncompliance with the Athlete Safety Standards can result in disciplinary action by the USOC including withdrawal of high performance funding. Also, athletes may have contact with individuals who are unaware of SafeSport misconduct and the potential impact to athletes' well-being and/or have contact with individuals who have a criminal history, which could put athletes at SafeSport-related misconduct risk.
Recommendation	<p>USA Baseball must require that individuals it formally authorizes, approves, or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes complete criminal background checks and education and training requirements in a timely manner and before they have contact with athletes to provide assurance that they are educated on the requirements of the Athlete Safety Standards. The USA Baseball must consistently track and verify criminal background checks and education and training requirements are met for all Required Individuals. Compliance with these requirements must be completed within 90 days of receipt of the final audit report.</p> <p>USA Baseball should review the testing results and require all necessary individuals to complete the necessary requirements (i.e., criminal background check and/or education and training).</p>
Management response	We agree with the condition and recommendation and will respond to the USOC with a detailed plan to ensure compliance with the current NGB Athlete Safety Policy. Our plan will be submitted to the USOC within the 90 day timeline referenced above.



4. Athlete Safety Standards - Application of the SafeSport Policy

<p>Criteria</p>	<p>The Athlete Safety Standards are not age specific. The Athlete Safety Standards states that the policy shall apply to (1) USA Baseball employees; (2) athletes USA Baseball designates for the USADA required testing pool (RTP); and (3) individuals USA Baseball formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes.</p>
<p>Condition</p>	<p>USA Baseball's SafeSport-related documentation and administrative materials does not specifically define who is required to comply with the requirements in the Athlete Safety Standards.</p>
<p>Cause</p>	<p>USA Baseball may not have updated its SafeSport-related documentation and administrative materials to align with requirements in the Athlete Safety Standards.</p>
<p>Effect</p>	<p>USA Baseball may not be in compliance with the Athlete Safety Standards. USA Baseball must be in compliance with the Athlete Safety Standards to be a member in good standing. Noncompliance with the Athlete Safety Standards can result in disciplinary action by the USOC including withdrawal of high performance funding.</p> <p>Additionally, stakeholders (e.g., coaches, officials) may not know the SafeSport policy applies to them or be informed of SafeSport initiatives and the related misconduct areas. Also, athletes may have contact with stakeholders who are not aware of SafeSport misconduct and the potential impact to athletes' well-being.</p>
<p>Recommendation</p>	<p>USA Baseball must update its SafeSport-related documentation and administrative materials to apply to (1) USA Baseball employees; (2) athletes USA Baseball designates for the USADA required testing pool (RTP); and (3) individuals USA Baseball formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes to comply with the Athlete Safety Standards. Compliance with these requirements must be completed within 90 days of receipt of the final audit report.</p>



4. Athlete Safety Standards - Application of the SafeSport Policy

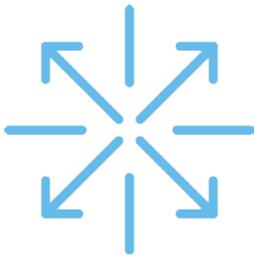
<p>Management response</p>	<p>We agree with the condition and recommendation and will respond to the USOC with a detailed plan to ensure compliance with the current NGB Athlete Safety Policy. Our plan will be submitted to the USOC within the 90 day timeline referenced above.</p>
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5. Athlete Safety Standards - Criminal Background Checks and Education and Training Policy Requirements

<p>Criteria</p>	<p>The Athlete Safety Standards state USA baseball shall require criminal background checks and education and training for those individuals it formally authorizes, approves, or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes.</p>
<p>Condition</p>	<p>USA Baseball's SafeSport-related documentation and administrative materials does not specifically include any context regarding requirements for criminal background checks or education and training requirements. USA Baseball does have documentation on their website and in other materials that references background checks and training materials, but does not specifically indicate the requirements as it related to SafeSport.</p>
<p>Cause</p>	<p>USA Baseball may not have updated its SafeSport-related documentation and administrative materials to align with requirements in the Athlete Safety Standards.</p>
<p>Effect</p>	<p>USA Baseball may not be in compliance with the Athlete Safety Standards. USA Baseball must be in compliance with the Athlete Safety Standards to be a member in good standing. Noncompliance with the Athlete Safety Standards can result in disciplinary action by the USOC including withdrawal of high performance funding.</p> <p>Additionally, stakeholders (e.g., coaches, staff, officials, volunteers, etc.) may not know that criminal background checks and education and training requirements apply to them or be informed of SafeSport initiatives and the related misconduct areas. Also, athletes may have contact with individuals who are unaware of SafeSport misconduct and the potential impact to athletes' well-being and/or have contact</p>

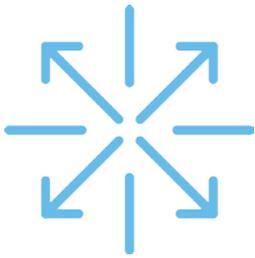


5. Athlete Safety Standards - Criminal Background Checks and Education and Training Policy Requirements	
	with individuals who have a criminal history, which could put athletes at SafeSport-related misconduct risk.
Recommendation	USA Baseball's SafeSport policy must require that individuals it formally authorizes, approves, or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes complete criminal background checks and education and training requirements in a timely manner and before they have contact with athletes to provide assurance that they are educated on the requirements of the Athlete Safety Standards. Compliance with these requirements must be completed within 90 days of receipt of the final audit report.
Management response	We agree with the condition and recommendation and will respond to the USOC with a detailed plan to ensure compliance with the current NGB Athlete Safety Policy. Our plan will be submitted to the USOC within the 90 day timeline referenced above.



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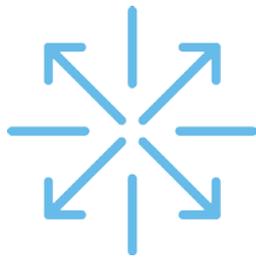
Report Appendices



Appendix A: Documents Reviewed

We reviewed the following documents:

- > Athlete Safety Standards Program Questionnaire
- > USA Baseball Code of Conduct and SafeSport
- > Population listing of “required individuals”(i.e., covered individuals required to undergo background check and training)
- > USA Baseball Coach Participation Form
- > USA Baseball Bylaws
- > USA Baseball Mandatory Background Check Application



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Appendix B: USOC SafeSport Audit of USA Baseball – Personnel Interviewed

We interviewed the following personnel:

- > Paul Seiler, Executive Director and Chief Executive Officer