



United States Olympic Committee

**United States Olympic Committee SafeSport Audit
of USA Modern Pentathlon**

September 2017



Candor. Insight. Results.

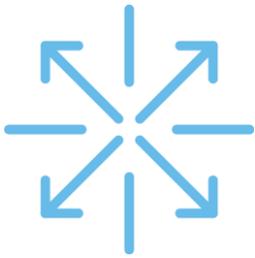
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USOC SafeSport Audit of USA Modern Pentathlon

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Executive Summary

Summary Observations

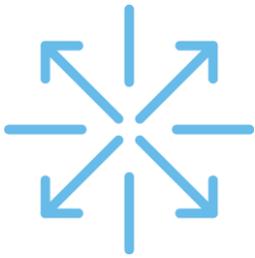
It shall be the policy of the United States Olympic Committee (USOC) that each National Governing Body (NGBs) adopt a Minimum Standards Policy for Athlete Safety Programs (Athlete Safety Standards) by December 31, 2013¹.

We noted the following opportunities to enhance the design of USA Modern Pentathlon's (USAP) compliance with the Athlete Safety Standards:

- > **Athlete Safety Standards - Criminal Background Checks and Education and Training Testing** – One individual selected for testing (17% of the selected individuals) did not complete education and training requirements during the testing period (i.e., May 1, 2016 through April 30, 2017); however, evidence was provided that the education and training requirements were completed prior to issuing the audit report.
- > **Athlete Safety Standards - Application of the SafeSport Policy (Minors)** – USA Modern Pentathlon's SafeSport Policy states, "Under the policy, USA Modern Pentathlon will not authorize or sanction any employee or volunteer who has routine access to children unless that person consents to be screened and passes a criminal background screen conducted by USA Modern Pentathlon through the USOC screening process. USA Pentathlon shall conduct screening of its employees, member programs and independent contractors as follows:
 - All USA Modern Pentathlon officials for sanctioned events that will have direct access to minor participants shall be screened.
 - All USA Modern Pentathlon sanctioned event volunteers that will have direct access to minor participants shall be screened. This does not include volunteers who do not have direct access to minor participants."

"As a condition of its affiliation with USA Modern Pentathlon, each Member and Affiliate Club must be in compliance with the requirements set forth below: All Affiliate and Member Clubs employees, independent contractors and volunteers over the age of 18 must be USA Modern Pentathlon members and have passed a background check prior to such employees, independent contractors, and volunteers having access to youth participants."

USA Modern Pentathlon's application of this policy is inconsistent with the requirements listed in the Athlete Safety Standards and may be focused too narrowly on minors. The Athlete Safety Standards do not limit these activities to include only minors.



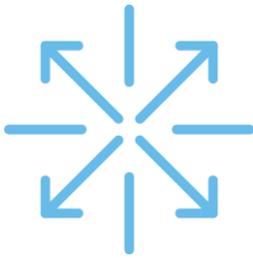
Background and Approach

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 USAP to evaluate compliance with the Athlete Safety Standards. The following activities were performed for this review of USAP:

- > Developed and executed an audit program that included:
 - Holding a virtual entrance meeting to discuss and document USAP's SafeSport program and processes.
 - Selecting a sample of 6 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 USAP'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 USAP. 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.

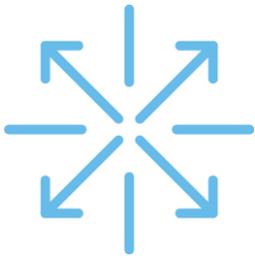
¹ Effective June 20, 2017 the USOC replaced the Athlete Safety Standards with the NGB Athlete Safety Policy. Due to the timing of this audit, fieldwork was performed in accordance with the Athlete Safety Standards.



Detailed Report

The table below represents opportunities to enhance the design and effectiveness of USAP’s compliance with the Athlete Safety Standards.

1. Athlete Safety Standards - Criminal Background Checks and Education and Training Testing	
Criteria	The Athlete Safety Standards state each NGB/HPMO 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.
Condition	One individual selected for testing (17% of the selected individuals) did not complete education and training requirements during the testing period (i.e., May 1, 2016 through April 30, 2017); however, evidence was provided that the education and training requirements were completed prior to issuing the audit report.
Cause	USAP may not be consistently tracking and monitoring compliance with the criminal background checks and education and training requirements of the Athlete Safety Standards.
Effect	Individuals the USAP 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. USAP 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	USAP 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 USAP must consistently track and verify criminal background checks

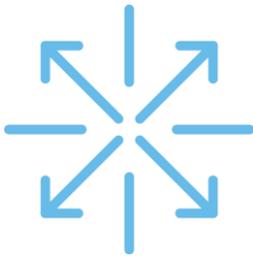


1. Athlete Safety Standards - Criminal Background Checks and Education and Training Testing

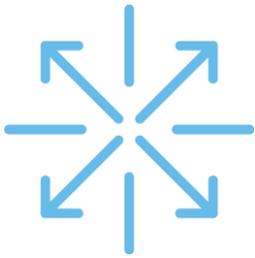
	<p>and education and training requirements are met for all Required Individuals. Compliance with these requirements must be completed within 90 days of receipt of the final audit report.</p> <p>USAP should review the testing results and require all necessary individuals to complete the necessary requirements (i.e., criminal background check and/or education and training).</p>
<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> <p>One individual tested finished his Safe Sport education outside the testing period but prior to the audit report. Thank you for bringing this to our attention. No action required.</p>

2. Athlete Safety Standards - Application of the SafeSport Policy (Minors)

<p>Criteria</p>	<p>The Athlete Safety Standards state each NGB/HPMO 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 Modern Pentathlon's SafeSport Policy states, "Under the policy, USA Modern Pentathlon will not authorize or sanction any employee or volunteer who has routine access to children unless that person consents to be screened and passes a criminal background screen conducted by USA Modern Pentathlon through the USOC screening process. USA Modern Pentathlon shall conduct screening of its employees, member programs and independent contractors as follows:</p> <ul style="list-style-type: none"> • All USA Modern Pentathlon officials for sanctioned events that will have direct access to minor participants shall be screened. • All USA Modern Pentathlon sanctioned event volunteers that will have direct access to minor participants shall be screened. This does not include volunteers who do not have direct access to minor participants."

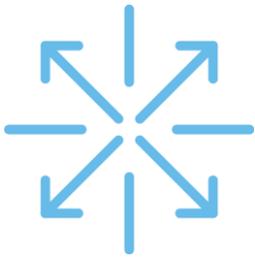


2. Athlete Safety Standards - Application of the SafeSport Policy (Minors)	
	<p>"As a condition of its affiliation with USA Modern Pentathlon, each Member and Affiliate Club must be in compliance with the requirements set forth below: All Affiliate and Member Clubs employees, independent contractors and volunteers over the age of 18 must be USA Modern Pentathlon members and have passed a background check prior to such employees, independent contractors, and volunteers having access to youth participants."</p> <p>USA Modern Pentathlon's application of this policy is inconsistent with the requirements listed in the Athlete Safety Standards and may be focused too narrowly on minors. The Athlete Safety Standards do not limit these activities to include only minors.</p>
Cause	USAP may not have updated its SafeSport-related documentation and administrative materials to align with requirements in the Athlete Safety Standards.
Effect	<p>USAP may not be in compliance with the Athlete Safety Standards. USAP 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 with individuals who have a criminal history, which could put athletes at SafeSport-related misconduct risk.</p>
Recommendation	USAP 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.



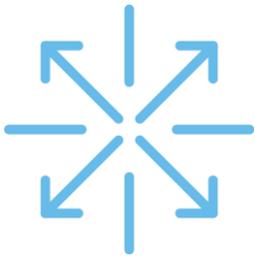
2. Athlete Safety Standards - Application of the SafeSport Policy (Minors)

The language contained in our Safe Sport Policy references minors and children. The new Athlete Safety Guidelines stipulates all "athletes" regardless of age. USAP will update our Safe Sport Guidelines to reflect all athletes and therefore be in compliance with the current Athlete Safety Standards.



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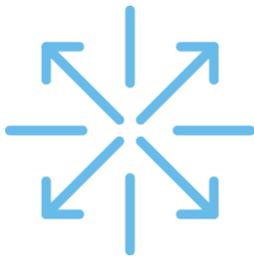
Report Appendices



Appendix A: Documents Reviewed

We reviewed the following documents:

- > Athlete Safety Standards Program Questionnaire
- > Population listing of “required individuals”(i.e., covered individuals required to undergo background check and training)
- > USA Pentathlon SafeSport Policy
- > USA Pentathlon Bylaws



Appendix B: Personnel Interviewed

We interviewed the following personnel:

- > Robert Stull, Chief Executive Officer
- > Scott Christie, Managing Director