

UNITED STATES OLYMPIC COMMITTEE

BERNARD ROBINSON)	
)	
Complainant, and)	
)	
BRUCE C.K.W. HARRIS, BARBARA)	
WAKEFIELD, VALERIE LONG, ANNE G.)	
CHASE, LEON PRESTON AND)	
JEANNETTE WOODARD)	
)	
Complainants)	SUMMARY DECISION
v.)	
)	
USA TAEKWONDO)	
)	
Respondent.)	January 10, 2012

I. SUMMARY DECISION

1. On January 5 and 6, 2012, the Hearing Panel (“Panel”) convened to hear the above-referenced Section 10 Complaint. After hearing and considering the cases as presented by the respective parties, including testimony from witnesses and documentary evidence, pre-hearing briefs, opening and closing statements, and arguments on various issues, the Panel issues this summary decision with a reasoned decision and recommendation to the USOC Board to follow.

2. The objective of the Panel was to determine if USA Taekwondo (“USAT”) is in compliance with the Ted Stevens Olympic and Amateur Sports Act (the “Act”) and the USOC Bylaws. The Panel could decide the case in one of the following ways:

- 1) Find USAT in compliance.
- 2) Find USAT out of compliance, but if the issues are deemed to be easily rectified, direct USAT to take such action as is appropriate to correct the deficiency.
- 3) Find USAT out of compliance and recommend that USAT be placed on probation.
- 4) Find USAT out of compliance and recommend that USAT be decertified as a National Governing Body.

3. Based on the testimony and other evidence presented by the parties, the Panel finds, and will make a recommendation to the USOC Board, as follows:

- 1) USAT is not in compliance with the Act and USOC Bylaws.
- 2) It is in the best interest in the sport of taekwondo for USAT to be placed on probation in order for it to address its compliance issues.
- 3) USAT will be tasked with a tangible set of remedies (with interim checkpoints) that can be realistically completed within an initial six month timeframe. This timeframe may be extended if USAT shows that it has been undertaking appropriate efforts, but nonetheless needs additional time to rectify its compliance issues.

4. While the Panel does not find that Complainants were able to sufficiently prove by a preponderance of the evidence all of their claims relating to non-compliance, the Panel finds that in some areas the Complainants met their burden of proof. Those pertain to USAT's:

- 1) Managerial capability.
- 2) Board competency and effectiveness.
- 3) Financial well-being.
- 4) Athlete representation.
- 5) Grievance procedures.
- 6) Communications with members and transparency of activities.

5. The Panel is aware of and gives USAT credit for attempting to address some of these issues. The Panel confirms that in a number of areas progress towards compliance has already been made. Notably, USAT has hired an interim CEO to address certain management issues, has put together a budget for 2012 and taken other steps aimed at improving its financial health, and has corrected or taken steps to correct a number of issues identified in the USOC audit. However, additional steps are required for full compliance to be achieved.


II. REMEDY PHASE

6. The next step in the process is for the Panel to proceed to the "remedy" phase. In that regard, the Panel invites the parties to provide written submissions as to remedies they propose that would allow USAT to address its compliance issues during the probationary period.

7. These submissions should include, at a minimum, suggestions pertaining to a) holding elections to repopulate USAT's Board (some Board seats are vacant and some director terms have expired), b) conducting a long range review of USAT's organizational structure and Board composition, c) improving USAT's internal financial controls and financial situation, d) ensuring that USAT has ample athlete representation and involvement, e) addressing grievance shortcomings, and f) effectuating better communication with USAT members and providing transparency with regard to its activities.

8. The parties should submit their submissions to the Panel by 5:00 p.m. MST, Tuesday, January 17, 2012.

Dated this 10th day of January, 2012.



Susanne Lyons, Chair

Sarah Konrad, Panel Member
Glenn Merry, Panel Member