
United States Olympic Committee

Audit Division



Report for:
USA Volleyball

Review of:
Compliance Checklist

Dated:
December 4, 2018



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Jamie Davis
Chief Executive Officer
USA Volleyball

Dear Jamie,

Enclosed is the United States Olympic Committee's (USOC) report on the 2018 Compliance Checklist for USA Volleyball (USAV). We want to express our appreciation for the time you spent completing the Checklist and providing documents during the review.

USAV was compliant in the areas of governance/managerial, financial capabilities and athlete representation. The review initially identified one deficiency related to due process, three deficiencies related to SafeSport and one deficiency related to anti-doping. Prior to issuance of the final report, four of the deficiencies were remedied, with one currently outstanding.

The report will be presented to the USOC Audit Committee at its next quarterly meeting and be made available on the Team USA website. We hope you found the review process to be helpful. If you have any suggestions, please do not hesitate to share them with us.

Sincerely,

Bridget Toelle, CPA, CIA
Vice President, NGB Audit and Compliance

Rich Wright
Staff Auditor, Compliance

cc: Rick Adams Onye Ikwuakor Kerry Klostermann
Alan Ashley Chris McCleary Lori Okimura
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COMPLIANCE CHECKLIST REPORT

USA Volleyball

OBJECTIVE AND SCOPE

The objective of the review is to verify USAV is in compliance with key elements of the Ted Stevens Olympic and Amateur Sports Act, the USOC Bylaws and certain USOC policies, in order to demonstrate ongoing commitment to the values and requirements of membership in the USOC. The scope includes the 2018 Compliance Checklist certified by USAV and the supporting documents provide by USAV.

The following chart shows all the requirements in the Compliance Checklist and corresponding status for USAV. For any deficiencies, see the explanations and action plans below the chart.

	Question	Status
Governance/Managerial		
1	Do you have a code of conduct for your employees, members, board of directors and officers?	Compliant
2	Do you have a strategic plan that is capable of supporting athletes in achieving sustained competitive excellence, and in growing the sport?	Compliant
3	Do you have your current bylaws posted on your website?	Compliant
Financial Capability		
4	Are you recognized by the IRS as a tax-exempt organization?	Compliant
5	Are you incorporated under the laws of a state of the United States or the District of Columbia as a not-for-profit corporation?	Compliant
6	Do you have your three most recent IRS Form 990s on your website?	Compliant
7	Have you completed and posted on your website your three most recent annual audited financial statements?	Compliant
8	Do you have written financial policies and procedures?	Compliant
9	Do you have an approval and/or review process for cash disbursements?	Compliant
10	Do you provide frequent (monthly or quarterly) financial statements to your board or designated committee?	Compliant
11	Do you have a board-approved annual budget?	Compliant
12	Have you spent USOC funds as required by the funding agreements in the previous 12 months?	Compliant
Due Process and Athlete Representation		
13	Do you provide procedures for the prompt and equitable resolution of grievances of your members?	Compliant
14	Do your grievance procedures provide for fair notice and opportunity for a hearing to any athlete, coach, trainer, manager, administrator or official before declaring the individual ineligible to participate?	Compliant
15	Do you require at least 20% athlete representation on grievance panels?	Compliant
16	Do you have at least 20% athlete representation on your board of directors?	Compliant

17	Do you have at least 20% athlete representation on your budget committee?	Compliant
18	Do you have at least 20% athlete representation on your selection committee, which prepares, approves or implements selection of international, Olympic, Paralympic and Pan American Games team members, including athletes, coaches, administrators and sport staff?	Compliant
SafeSport		
19	Do you have USOC SafeSport language in your bylaws that provides jurisdictions to the U.S. Center for Safe Sport?	Compliant
20	Do you have a USOC-compliant Athlete Safety Policy?	Compliant
21	Do you have a grievance process that is materially free of bias and conflicts of interest for SafeSport allegations, and includes the opportunity for review by a disinterested individual or body?	Compliant
22	Does your policy require criminal background checks, at least every two years, for those individuals that are formally authorized, approved or appointed (a) to a position of authority over, or (b) to have frequent contact with athletes?	Compliant
23	Does your policy require education and training specific to SafeSport for those individuals that are formally authorized, approved or appointed (a) to a position of authority over, or (b) to have frequent contact with athletes?	Compliant
Anti-Doping		
24	Do you inform Athletes, Athlete Support Personnel and other Persons in your sport of the USOC National Anti-Doping Policy and of the USADA Protocol?	Compliant
25	Unless otherwise agreed by USADA, at least quarterly do you provide USADA with an updated list of athletes, proposed by your NGB, to be included in the USADA RTP? With respect to each athlete on such list and such additional athletes as may be designated by USADA for inclusion in the USADA RTP, do you provide USADA with initial contact information which shall, at a minimum, include accurate residential, mailing and email addresses (if available) and phone numbers for each athlete?	Compliant
26	At least six months prior to the commencement of the most recent applicable Olympic or Paralympic Games, did you provide USADA with a list of all athletes that may have reasonably been selected to represent the U.S. in such Games?	Deficient
27	Do you have an identified staff member to act as a liaison with USADA?	Compliant

DEFICIENCIES

Do you provide procedures for the prompt and equitable resolution of grievances of your members?

In considering equitable resolution, USAV is deficient for this element with a recommendation to update the language in Art XIV, Sec 14.02, p. 43, to ensure the Chief Executive Officer (CEO) is taking the filed complaint and passing it along to another entity, ex. the Judicial or Ethics Committee, which is more in line with best practices, to help prevent potential bias or conflict of interest issues if the CEO is named in the complaint.

USAV Action Plan: *The above referenced article will be amended to accomplish the recommendation and approved by the USAV Board of Directors either electronically or at its August 25, 2018 in person meeting.*

Note: Amendments to the USAV Bylaws and Operating Code are required to be approved by the Board.

USOC Status Update: USOC Audit verified that USAV updated its Bylaws on September 17, 2018. Section 14.03 (formally 14.02) has been updated so the CEO or designee shall forward the complaint to the Ethics and Eligibility Committee to review the matter and conduct any and all fact-finding investigations. USAV is compliant with this requirement as of October 30, 2018.

Do you have a USOC-compliant Athlete Safety Policy?

USAV was deemed deficient for the following:

- USAV's SafeSport policy does not specifically state their policy applies to 1) NGB employees; (2) athletes the NGB designates for the USADA required testing pool (RTP); and (3) individuals the NGB formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes. USAV informed us they updated their SafeSport Handbook to address this deficiency, but the updated Handbook has not been published for us to review at this time.
- USAV's SafeSport policy does not contain grievance language or point to grievance procedures in the Bylaws.
- USAV's background checks are limited to adults associated with junior programming which could be too narrow because backgrounds checks should apply to individuals the NGB formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes. USAV informed us they updated their SafeSport Handbook to address this deficiency, but the updated Handbook has not been published for us to review at this time.

USAV Action Plan: *USAV has updated its language to address this deficiency and the revised SafeSport Policy will be posted / published within 90 days (prior to the September 1, 2018 start of the season.)*

U.S. Center for SafeSport (CSS)

The U.S. Center for SafeSport maintains the exclusive jurisdiction to investigate and resolve alleged SafeSport Code violations involving sexual misconduct. Procedures can be found in their Policies & Procedures and Rules for Arbitration documents which can be accessed on their website at www.safesport.org.

USOC Status Update: USOC Audit verified that USAV updated its SafeSport Policy so it applies to the required individuals, references a grievance process and expanded the background check population to meet the USOC's requirement. USAV is compliant with this requirement as of October 30, 2018.

Do you have a grievance process that is materially free of bias and conflicts of interest for SafeSport allegations, and includes the opportunity for review by a disinterested individual or body?

USAV is deemed deficient for the same reason in the box above regarding the grievance process.

USOC Status Update: USAV is deemed compliant for the same reason in the box above regarding the

updated grievance process. USAV is compliant with this requirement as of October 30, 2018.

Does your policy require criminal background checks, at least every two years, for those individuals that are formally authorized, approved or appointed (a) to a position of authority over, or (b) to have frequent contact with athletes?

USAV is deemed deficient for the same reason in the box above regarding background requirements.

USOC Status Update: USAV is deemed compliant for the same reason in the box above regarding the updated background check requirements. USAV is compliant with this requirement as of October 30, 2018.

At least six months prior to the commencement of the most recent applicable Olympic or Paralympic Games, did you provide USADA with a list of all athletes that may have reasonably been selected to represent the U.S. in such Games?

According to USADA, USAV submitted their long list of athletes for the 2016 Rio Games on 15 Apr 2016 (or approximately 4 months out from competition) which did not meet the minimum requirement of at least 6 months prior to competition in accordance with USOC National Anti-doping Policy, Section 4.7. USAV is deficient for this element, however, there is no follow-up action the NGB can take at this time for this item.

USAV Action Plan: *USAV has typically submitted its Long List of Athletes by the date requested by its USOC Sport Performance Team. It will do so for the 2019 and 2020 Protected Competitions.*

CONCLUSION

With USAV's remedies to the initial deficiencies identified during the USOC Compliance Review, except for pre-Olympic Games Anti-Doping requirements, it is now fully compliant with the USOC's Compliance Checklist.