

NGB Compliance Standards

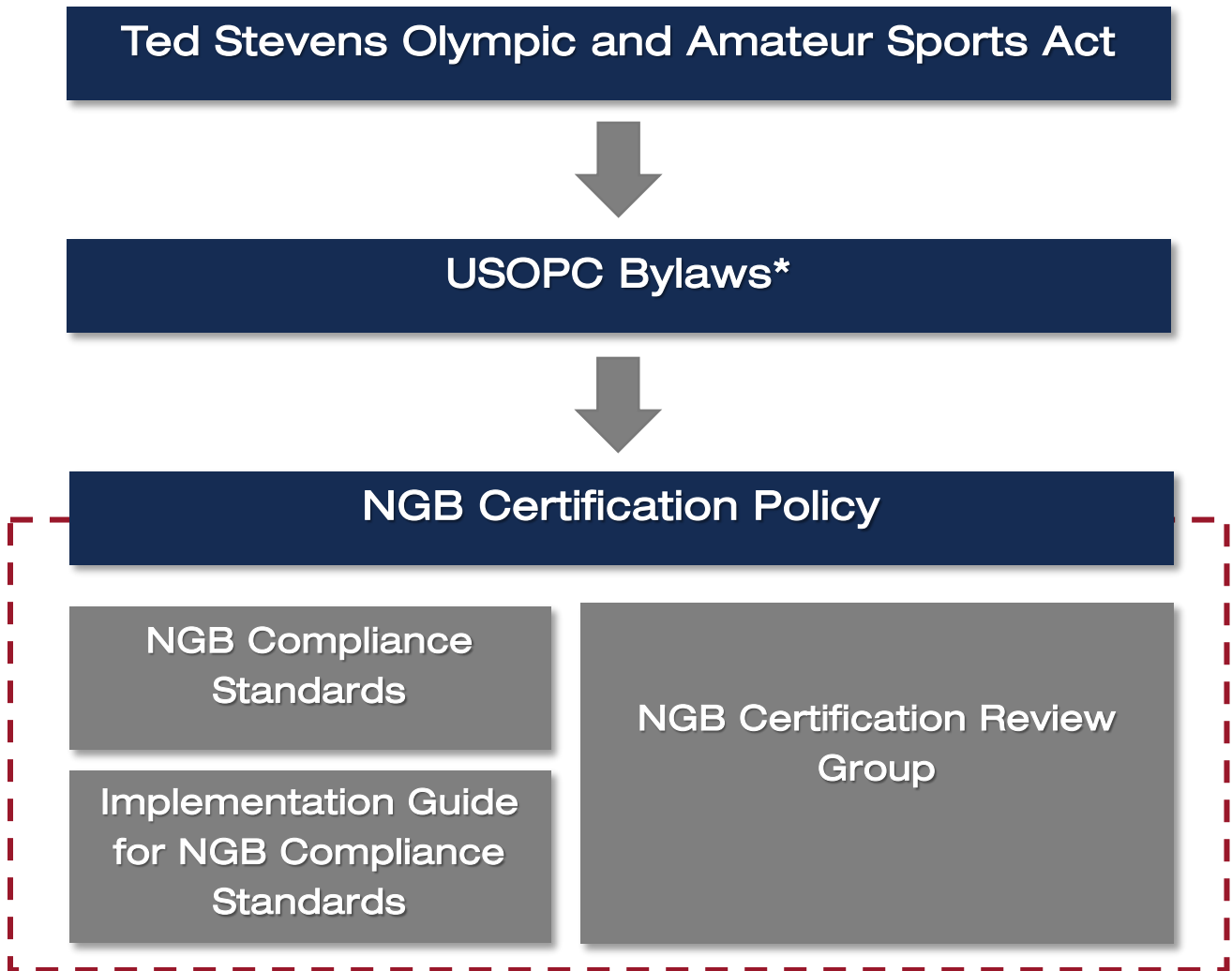
Approved by the USOPC Board of Directors
June 2021



Introduction and Background

To better serve our athletes, carry out the values of the Olympic and Paralympic movement, and abide by applicable rules and regulations, the United States Olympic & Paralympic Committee (USOPC) and its National Governing Body (NGB) members work together to fulfill membership responsibilities as leaders of the Olympic and Paralympic movement in the United States.

These NGB Compliance Standards were created to assist the members with fulfilling their membership responsibilities. They are built on requirements set forth in the Ted Stevens Olympic and Amateur Sports Act and the USOPC Bylaws. The Implementation Guide for NGB Compliance Standards contains further details on how to satisfy the standards. The diagram below outlines how the various compliance documents relate to each other.



*Based on the Bylaws adopted on March 11, 2021. Bylaw Amendments have been incorporated into this document, and NGBs must comply with those new requirements beginning January 1, 2022.

Definitions and Clarification of Terms

Ted Stevens Olympic and Amateur Sports Act (Act): The Act gives the USOPC the ability to review all matters related to the continued recognition of its members and to take action it considers appropriate, including placing conditions on continued recognition. It also sets out some of the general obligations of organizations recognized by the USOPC as NGBs.

USOPC Bylaws: NGB membership requirements are listed in the USOPC Bylaws (effective January 1, 2020) chiefly in Section 8.7. The requirements listed below are directly from the USOPC Bylaws, therefore the references to the “corporation” refer to the USOPC.

Certification Policy: The Certification Policy clarifies the certification process referred to in the USOPC Bylaws. Certification will be conducted on a quadrennial basis or more frequently, if necessary, by the USOPC.

NGB Audits: NGBs will be audited on a quadrennial basis or more frequently, if deemed necessary, by the USOPC. The audits are a key element in determining the certification status of an NGB, however, it will not be the only element when determining the certification status. The NGB audit reports will be published on TeamUSA.org.

NGB Compliance Standards Implementation Guide: The NGB Compliance Standards Implementation Guide provides further guidance in applying the standards and requirements.

The NGB Compliance Standards and the NGB Compliance Standards Implementation Guide were developed jointly by the USOPC, the National Governing Body Council (NGBC), and the Athlete Advisory Council (AAC). The NGB Compliance Standards and the NGB Compliance Standards Implementation Guide will be reviewed and revised, as necessary, on an annual basis. The NGB Audit team may account for requests for exceptions from Implementation Guide requirements where reasonable f.

If you have questions you can reach out to NGB Services, the USOPC’s Compliance team, or the NGB Audit team.

Requirement A

Governance and Compliance



A.1 **REQUIREMENT:** Adopt and maintain governance and athlete representation policies complying with the requirements of the USOPC Bylaws

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGBs must have at least 33.3% athlete representation on its board of directors as required by the Act §220522(13) and further defined by the USOPC Bylaws, Section 8.5.3
- b. NGBs must have at least 33.3% athlete representation on all Designated and Other Committees as required and defined by the USOPC Bylaws, Section 8.5.4 and 8.5.5.
- c. NGB must have a board structure that includes:
 - i. A board position(s) as defined by the USOPC to provide an independent perspective, and
 - ii. As required by the Act §220522(12), reasonable and direct representation for any amateur sports organization, high-performance management organization, or Paralympic sports organization that:
 1. Conducts a national program or regular national amateur athletic competition in the applicable sport on a level of proficiency appropriate for the selection of amateur athletes to represent the United States in international amateur athletic competition; and
 2. Ensures that the representation reflects the nature, scope, quality, and strength of the programs and competitions of the applicable organization in relation to all other programs and competitions in the sport in the United States.
- d. NGB is not a member of more than one international sports federation included on the program of the Olympic Games or the Pan-American Games as required by the Act §220522(6).
- e. NGB must have a membership structure that is open to any individual or sports organization that conducts programs in its sport as required by the Act §220522(7).

A.2 **REQUIREMENT:** Adopt and maintain an Athletes Advisory Council as a part of its overall governance structure

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must have an Athletes Advisory Council that meets the minimum standards set forth by the USOPC.

A.3 **REQUIREMENT:** Adopt and maintain appropriate governance practices

In order to meet the above requirement, NGBs must meet the following Standards:

Note: Green font indicates a new standard.

- a. NGB must have bylaws or **board-approved** policies and procedures that at least meet the minimum standards for governance practices and comply with the Act §220522(9-12).
 - b. The NGB board must conduct the following activities:
 - i. Formal onboarding process for board members and committee members,
 - ii. USOPC training to the board members and committee members,
 - iii. At least once during the quad, perform a self-evaluation of the board's performance using the USOPC provided resource, and
 - iv. Annual performance evaluation of the CEO/Executive Director.
 - c. NGB must make its Board of Director meeting minutes for the three most recent years available on its website. At its request, prior meeting minutes must be provided to the USOPC. Meeting minutes from executive sessions are not included in this requirement.
 - d. NGB must have a list of its current board members on its website, including each member's position, board term, **and class**.
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A.4 **REQUIREMENT:** Be recognized by the Internal Revenue Service (IRS) as a tax-exempt organization under the Internal Revenue Code

In order to meet the above requirement, NGBs must meet the following Standards:

- a. The NGB's tax-exempt not-for-profit corporation status, recognized by the IRS, must be current to comply with the Act §220522(1). The NGB must make the USOPC aware of any potential situations that could impact its tax-exempt status.
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A.5 **REQUIREMENT:** Adopt and enforce a code of conduct for its employees, members, board of directors, and officers

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must have a comprehensive code of conduct that meets the minimum code standards set forth by the USOPC. The code of conduct must be made available on the NGB's website.
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A.6 **REQUIREMENT:** Adopt and enforce ethics policies and procedures

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must have a comprehensive written statement or policy of ethics that meets the minimum standards set forth by the USOPC.
- b. NGB must enforce a conflicts of interest policy that meets the minimum standards set forth by the USOPC. The conflict of interest policy must be made available on the NGB's website.

- c. NGB must adopt a gift and entertainment policy that meets the minimum standards set forth by the USOPC.

A.7 **REQUIREMENT:** NGBs must submit annual reports to the USOPC that include the following information as set forth in the Act §220522(17).

In order to meet the above requirement, NGBs must meet the following Standards:

- a. A description of the manner in which the NGB:
 - i. carries out its mission to promote a safe environment in sports that is free from abuse of amateur athletes (including emotional, physical, and sexual abuse), and
 - ii. addresses any sanctions or temporary measures required by the Center;
- b. A description of any cause of action or complaint filed against the NGB that was pending or settled during the preceding calendar year; and
- c. A detailed statement of
 - i. the income and expenses of the organization; and
 - ii. the amounts expended on stipends, bonuses, and services for amateur athletes, organized by the level and gender of the amateur athletes.

A.8 **REQUIREMENT:** NGB must publish the Ombuds' Policy on its website and communicate the availability of the policy to its athletes as set forth in the Act §220509(b)

In order to meet the above requirement, NGBs must meet the following Standards:

- a. The Ombuds' policy is published on the NGB's website in a logical and accessible location.

A.9 **REQUIREMENT:** Fulfill all responsibilities as an NGB as set forth in the Act and by the corporation

In order to meet the above requirement, NGBs must meet the following Standards:

- a. In addition to the requirements in this policy, NGB must comply with the Act.
- b. In addition to the requirements in this policy, NGB will generate and provide all information necessary for the USOPC to comply with its obligation under the Act.

Requirement B

Financial Standards and Reporting Practices



B.1 **REQUIREMENT:** Demonstrate financial operational capability to administer its sport
In order to meet the above requirement, NGBs must meet the following Standards:

Note: Green font indicates a new standard. New standards are effective January 1, 2022, unless otherwise noted.

(Act § 220522(2))

- a. NGB must demonstrate financial stability based on its four most recent audited financial statements.
- b. NGB must develop and implement financial policies and procedures.
- c. NGB must comply with all USOPC funding agreements, including but not limited to, ensuring adequate controls are in place to ensure USOPC funds are spent appropriately, USOPC funds are not spent on excessive or unnecessary expenses, and amounts that are reported on the final grant reports are accurate.
- d. NGB Management must provide financial reports to its board, at least three times per year, and confirmation of discussion be included in board meeting minutes. NGB must provide financial information and documents as reasonably requested by board members.

B.2

REQUIREMENT: Adopt a budget and maintain accurate accounting records in accordance with accounting principles generally accepted in the United States of America (GAAP)

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must adopt a board-approved budget before or at the start of its fiscal year.
- b. NGB must receive an unqualified opinion on its most recent audited financial statements to ensure accurate accounting records in accordance with GAAP.

B.3

REQUIREMENT: Submit its complete IRS Form 990 and audited financial statements, including management letter and budget, to the corporation annually

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must annually provide the USOPC's NGB Audit & Organizational Advancement Department with the following:
 - i. Its completed IRS Form 990 by the IRS deadlines including extensions, if executed.
 - ii. Its completed audited financial statements no later than the last day of the eighth month following the NGB's year-end.
 - iii. If applicable, its external auditor's letter to management outlining the evaluation of any internal control deficiencies identified during the audit, within the same timeframe as outlined in ii above.
 - iv. Its Board-approved budget for the current year.

B.4

REQUIREMENT: Post on its website its current bylaws, its IRS Form 990 for the three most recent years, and its audited financial statements for the three most recent years

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must make its bylaws and the bylaws for all consolidated entities available on its website in a reasonable and accessible location to all individuals.

- b. NGB must make its three most recent IRS Form 990s available on its website in a reasonable and accessible location to all individuals by the IRS deadline or extension deadline provided by the IRS.
 - c. NGB must make its three most recent audited financial statements available on its website in a reasonable and accessible location to all individuals no later than the last day of the eighth month following the NGB's year-end.
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Requirement C

Athlete Protections and Rights



C.1 **REQUIREMENT:** Comply with all applicable athlete safety and child protection laws **In order to meet the above requirement, NGBs must meet the following Standards:**

- a. NGB must demonstrate compliance with child protection laws through the U.S. Center for SafeSport's most recent audit report.

C.2 **REQUIREMENT:** Comply with the policies and requirements of the U.S. Center for SafeSport **In order to meet the above requirement, NGBs must meet the following Standards:**

- a. NGB must demonstrate compliance with the U.S. Center for SafeSport requirements through the U.S. Center for SafeSport's most recent audit report.

C.3 **REQUIREMENT:** Maintain and enforce an athlete safety program consistent with the policy(ies) and standards directed by the corporation **In order to meet the above requirement, NGBs must meet the following Standards:**

- a. NGB must ensure compliance with policies and standards including but not limited to:
 - i. USOPC's NGB and HPMO Athlete Safety Policy
 - ii. Responsible Sport Organization Background Check Policy

C.4 **REQUIREMENT:** Comply with the anti-doping policies of the corporation and with the policies and procedures of USADA **In order to meet the above requirement, NGBs must meet the following Standards:**

- a. NGB must ensure compliance with anti-doping policies and standards including, but not limited to, the USOPC's National Anti-Doping Policy and the USADA Protocol.
- b. NGB must have USOPC approved anti-doping language in its Bylaws, membership agreements (if applicable), and license agreements (if applicable).

C.5 REQUIREMENT: Satisfy such other requirements as are set forth by the corporation
In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must comply with the USOPC NGB Athlete Agreements Policy.

Note: Athlete rights and protections are also covered in grievances and whistleblower policy requirements in Requirement E.

Requirement D

Sport Performance



D.1 REQUIREMENT: For each applicable Team USA Delegation Event, NGBs must draft selection procedures that comply with the Act and USOPC Bylaws to be submitted for review and approval by the USOPC's Sport Performance team. In addition, NGBs must publish selection criteria for all other Protected Competitions in accordance with the Act. Selection procedures for non-Delegation Events are not subject to USOPC approval.

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must submit proposed selection procedures that comply with the Act and USOPC Bylaws to the USOPC Sport Performance team for each applicable Team USA Delegation Event.
- b. NGB must publish selection criteria for all other Protected Competitions in accordance with the Act.
- c. NGB must execute selection procedures in accordance with the USOPC's selection procedure minimum standards and the NGB's own selection procedures.

D.2 REQUIREMENT: Competently and timely recommend to the corporation athletes, teams, and team officials for Delegation Event teams as applicable

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must timely provide the listing of recommended athletes, teams, and team officials for Delegation Event teams to the USOPC (Act §220523(a)(6)).

D.3 REQUIREMENT: Maintain and implement effective plans for successfully training Delegation Event athletes

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must develop and execute a high-performance plan that effectively and successfully trains Delegation Event athletes.
- b. If an NGB or its affiliate(s) sanctions events, it must require specific sanctioning standards set forth by the USOPC of the organization or person requesting a sanction.
- c. NGBs with a Paralympic program must adopt the U.S. Paralympics National Classification Policies & Procedures or establish national classification policies and procedures that comply with the U.S. Paralympics National Classification Policies & Procedures and the IPC Athlete Classification Code and International Standards.

D.4 **REQUIREMENT:** Satisfy such other requirements as are set forth by the corporation
In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must be in good standing with its International Federation.

Requirement E

Operational Performance



E.1 **REQUIREMENT:** Demonstrate managerial capability to administer its sport
In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must have managerial capability to successfully administer its operations and its sport. Managerial capability includes, but is not limited to, management's authority and ability to operate day-to-day activities; prompt resolution of management or board concerns; and reasonable board, committee, and/or staff turnover.

E.2 **REQUIREMENT:** Obtain and keep current insurance policies in such amount and for such risk management as appropriate
In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must have insurance policies that comply with the USOPC's requirements and provide Certificates of Insurance to the USOPC's dedicated third-party vendor.

E.3 **REQUIREMENT:** Actively seek, in good faith, to generate revenue in addition to any resources that may be provided by the corporation, sufficient to achieve financial sustainability
In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must have revenue sources above and beyond the USOPC's funding. Also, see the requirements in Financial Section (B.1)

E.4 REQUIREMENT: Maintain and enforce grievance procedures that provide for prompt and equitable resolution of grievances and fair notice and an opportunity for a hearing before declaring an individual ineligible to participate

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must provide prompt and equitable resolution of grievances as outlined in the Act §220522(14).
- b. NGB must provide fair notice and opportunity for a hearing to any amateur athlete, coach, trainer, manager, administrator, or official before declaring the individual ineligible to participate as outlined in the Act §220522(8).

E.5 REQUIREMENT: Adopt a whistleblower and anti-retaliation policy

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must adopt and maintain an organizational whistleblower policy that encourages and provides a mechanism for affiliated individuals to report alleged violations of any applicable law, rule, regulation, or adopted policy of the NGB, accounting or financial fraud, or other misfeasance and includes an anti-retaliation statement.

E.6 REQUIREMENT: Cooperate with the corporation in preventing the unauthorized use of the names and trademarks of the corporation, the words “Olympic,” “Paralympic” and “Pan American,” and their derivatives, as well as their symbolic equivalents

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must notify the USOPC if they are aware of unauthorized usage of the names and trademarks of the USOPC.
- b. NGB will work with the USOPC when using the USOPC trademark for its trials to ensure the names and trademarks are being used appropriately.
- c. If an NGB sponsor uses USOPC intellectual property in an unauthorized fashion, NGB will work with USOPC and NGB sponsor, to the best of its ability, to stop the unauthorized use of USOPC intellectual property by the NGB sponsor.
- d. NGB will work with the USOPC to execute license agreements for the NGB’s use of USOPC intellectual property.

E.7 REQUIREMENT: Demonstrate an organizational commitment to diversity and inclusion

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must provide diversity data and a diversity plan to the USOPC, as required by the USOPC’s Diversity, Inclusion, & Talent Acquisition Division. If necessary, NGB will require the same reporting from its member organizations to the NGB, which information shall then be conveyed to USOPC as appropriate.
- b. NGB must provide equitable support and encouragement for participation by women where separate programs for male and female athletes are conducted on a national

basis as required by the Act §220524(6).

- c. NGB must provide an equal opportunity to amateur athletes, coaches, trainers, managers, administrators, and officials to participate in amateur athletic competition, without discrimination on the basis of race, color, religion, sex, age, or national origin as required by the Act §220522(8).
- d. NGB will encourage and support amateur athletic sports programs for individuals with disabilities and the participation of individuals with disabilities in amateur athletic activity, including, where feasible, the expansion of opportunities for meaningful participation by individuals with disabilities in programs of athletic competition for able-bodied individuals Act §220524(7).
- e. NGB must consent to the USOPC making public any and all of the above information collected related to diversity and inclusion.

E.8

REQUIREMENT: Maintain and execute a strategic plan that is capable of supporting athletes in achieving sustained competitive excellence, and in growing the sport

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must maintain and monitor the execution of an organizational strategic plan, in addition to a high-performance plan.

E.9

REQUIREMENT: Satisfy such other requirements as are set forth by the corporation

In order to meet the above requirement, NGBs must meet the following Standards:

- a. NGB must comply with the USOPC policies and procedures that apply to NGBs, if applicable, including but not limited to:
 - i. USOPC Internet Usage Policy, applies if NGB is on the USOPC internet
 - ii. USOPC Olympic and Paralympic Training Center Policy and Rates, applies if NGB uses the OPTCs,
 - iii. USOPC Sport House Protocol and Procedures, applies if NGB operates out of the USOPC Sport House, and
 - iv. USOPC Security Division Policies and Procedures, applies if NGB operations are within the OPTC or Sport House.

Revision History

[month] 2020 – Initial publication

June 2021 – Athlete representation percentages updated to 33%; created Standards A.7 and A.8; combined Standards D1, D2, & D5. b; and minor updates to language to reflect updates to the Ted Stevens Olympic and Amateur Sports Act and USOPC Bylaws. Updates approved by USOPC Board of Directors.