



USOPC NGB AUDIT

USA ARCHERY

June 3, 2021



EXECUTIVE SUMMARY

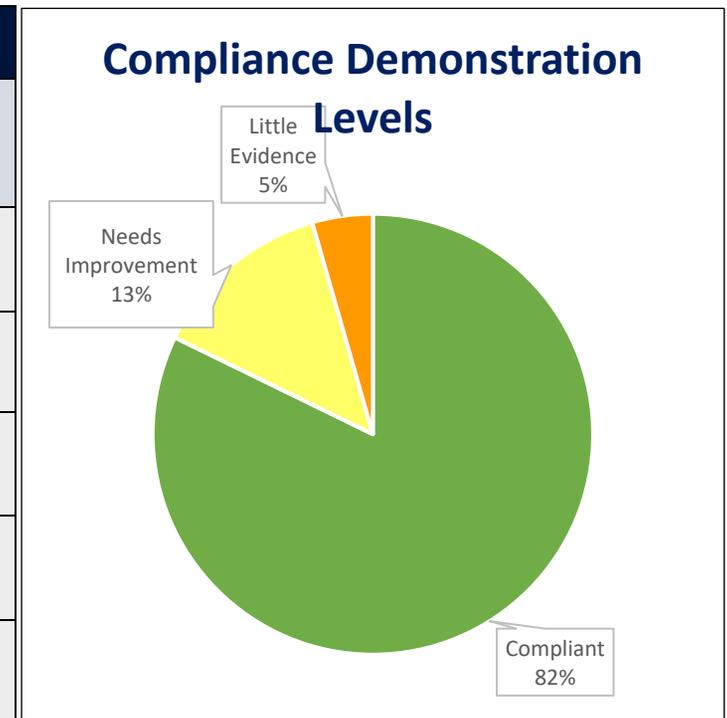
Background, Scope, and Objectives

The United States Olympic & Paralympic Committee’s (USOPC) NGB Audit department (Audit) completed an audit of USA Archery. The purpose of the audit was to determine if USA Archery complies with the requirements of the NGB Compliance Standards (Standards) and to conduct testing in areas that present an increased risk to athletes, other members, and / or USA Archery. The audit focused on the policies and procedures noted in the Standards in the following sections: Governance and Compliance, Financial Standards and Reporting Practices, Athlete Protections and Rights, Sport Performance, and Operational Performance.

Audit Summary

Based on the audit procedures performed, select policies and procedures were reviewed to determine compliance with the Standards. The conclusion within each standard was based on the criteria met for each standard, as well as the results of any testing conducted. Definitions of demonstration levels are detailed in the Implementation Guide for NGB Compliance Standards (Implementation Guide). Findings and demonstration levels are detailed on the subsequent pages.

| Demonstration Level Totals by Section | | | | | |
|---------------------------------------------|-----------|-------------------|-------------------------------|---------------------------|---------------------------|
| NGB Audit Standards Section | Compliant | Needs Improvement | Little Evidence of Compliance | No Evidence of Compliance | Total Number of Standards |
| Governance and Compliance | 10 | 1 | 2 | 0 | 13 |
| Financial Standards and Reporting Practices | 8 | 0 | 0 | 0 | 8 |
| Athlete Protections and Rights | 4 | 1 | 0 | 0 | 5 |
| Sport Performance | 5 | 1 | 0 | 0 | 6 |
| Operational Performance | 10 | 3 | 0 | 0 | 13 |



We would like to thank all USA Archery staff who assisted us throughout this review.

EXECUTIVE SUMMARY (CONT.)

Audit conducted a review of USA Archery’s policies and procedures in relation to the USOPC Bylaws and Ted Stevens Amateur Sports Act (the Act) as outlined in the Implementation Guide for NGB Compliance Standards. Audit evaluated 45 Standards in the areas of Governance and Compliance, Financial Standards and Reporting Practices, Athlete Protections and Rights, Sport Performance, and Operational Performance.

Overall, Audit concluded that USA Archery has met the majority of the requirements outlined in the Standards. However, there are some areas that are of increased concern. Under the managerial capability standard, Audit found that the number of grievances filed was low in relation to the concerns raised to various USOPC departments. Further, USA Archery has an unsuitably high number of conflicts of interest that are not properly disclosed or managed. This is of particular concern because the 2019 Audit also identified the same issue. As this is a repeat finding, details are noted in this report. Additional details regarding each of these concerns are outlined in the below findings.

PRIOR AUDIT FOLLOW-UP

As part of this review, the NGB Audit team followed up on nine open audit findings from the audit dated December 12, 2019. As described in more detail below, the audit team found that one high risk finding related to conflicts of interest was partially remediated, and an additional high risk finding related to grievances remains open due to USA Archery not having had the opportunity to close. Seven findings have been remediated and validated by Audit.

NGB AUDIT FINDINGS

All Standards are evaluated against the 2020 Implementation Guide for Audit Standards. Bylaws references are based on the USOPC Bylaws approved in June 2020.

GOVERNANCE AND COMPLIANCE

| NGB Audit Standards Section A | | | | | |
|--------------------------------------|-----------|-----------|-------------------|-----------------|-------------|
| Title | Standard | Compliant | Needs Improvement | Little Evidence | No Evidence |
| Athlete Representation | A.1 a & b | | X | | |
| Board Composition | A.1 c | X | | | |
| International Federation Affiliation | A.1 d | X | | | |
| Membership Requirements | A.1 e | X | | | |
| Bylaws | A.3 a | X | | | |
| Board Development | A.3 b | X | | | |
| Board Meeting Minutes | A.3 c | X | | | |
| Board Roster | A.3 d | X | | | |
| IRS Status | A.4 a | X | | | |

| | | | | | |
|--------------------------------|-------|-----------|----------|----------|----------|
| Code of Conduct | A.5 a | | | X | |
| Statement of Ethics | A.6 a | X | | | |
| Conflicts of Interest Policy | A.6 b | | | X | |
| Gifts and Entertainment Policy | A.6 c | X | | | |
| Total | | 10 | 1 | 2 | 0 |

| Needs Improvement | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Athlete Representation | Management Action Plan |
| <p>A.1 a & b:</p> <p>a. NGBs must have at least 20% athlete representation on its board of directors as required by the Act §220522(a)(10) and further defined by the USOPC Bylaws, Section 8.8.</p> <p>b. NGBs must have at least 20% athlete representation on all committees as required and defined by the USOPC Bylaws, Section 8.8.</p> <p>FINDING: USA Archery's Bylaws state that athlete representatives on all committees can be selected by the board of directors not the elite athlete members as stated by the USOPC Bylaws. While USA Archery does have athlete representatives on the board and committees, USA Archery must ensure athletes are selected in accordance with USOPC Bylaws.</p> | <p>The USA Archery Bylaws will be updated to state that all athlete representatives on all committees will be selected by eligible athletes (i.e., AAC and Para AAC) as stated by the USOPC Bylaws. By the end of 2021, USA Archery will select athlete representatives to be seated on all applicable committees consistent with section 8.5.4 of USOPC Bylaws.</p> <p>Due Date: December 31, 2021.</p> |
| Little Evidence of Compliance | |
| Code of Conduct | Management Action Plan |
| <p>A.5 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.</p> <p>FINDING: There are elements missing from USA Archery's Code of Conduct in the following areas: organizational expectations, resolution, and resources.</p> <p>The code of conduct included references to USA Archery's grievance procedures for resolution, but more detail should be added to ensure that the process for reporting code of conduct violations is easily understood.</p> | <p>USA Archery will update the Code of Conduct to comply with the USOPC Code of Conduct checklist to state specifically: a. Who investigates potential violations, b. Who makes the determination on potential violations, including athlete involvement, if required, c. Provides an opportunity for a hearing if the determination limits the individual's right to participate, and d. investigations and decisions will be conducted by parties free from conflicts of interest.</p> <p>Due Date: September 1, 2021</p> |
| Conflicts of Interest Policy | Management Action Plan |
| <p>A.6 b: NGB must enforce a conflicts of interest policy that meets the minimum policy standards set forth by the USOPC. The conflicts of interest policy must be made available on the NGB's website. Detailed requirements are found in the Implementation Guide.</p> | <p>USA Archery will review the Ethics Committee Conflict of Interest review guidelines, the Code of Ethics and the Board Member Policy within the USA Archery bylaws to align</p> |

FINDING: During the testing of USA Archery's conflict of interest disclosure forms, two out of the ten individuals selected did not disclose potential conflicts. In addition, there is an unsuitably high-risk level for conflicts of interest with minimal management over the conflicts disclosure process.

USA Archery must execute its existing Conflict of Interest Policy and procedure for managing and resolving actual, potential, and perceived conflicts of interest. The policy and procedure must also be updated to include penalties for non-compliance with the policy, e.g., removal from Board or committee, a process by which the Ethics Committee provides directives to address conflicts of interest, and that the Ethics Committee's directives must be followed as a condition of membership.

There was a similar finding noted in the previous USOPC audit. The previous finding noted issues with the Ethics Committee's review process of the disclosure forms and the review process of the CEO's disclosure form. These issues were remediated during our 2021 Audit. The 2019 audit also identified that some individuals tested did not disclose potential conflicts and that there is a high-risk level regarding conflicts among members of USA Archery. These issues remain outstanding. As such, this 2019 audit finding was partially remediated.

processes for how board members may be disciplined and/or removed from the board should they fail to disclose conflicts and/or if their level of conflicts change post-election as permitted by the Colorado Revised Nonprofit Corporation Act.

USA Archery's Ethics Committee will also review all conflict of interest disclosures, provide direction for managing any actual, potential, or perceived conflicts, and document the Ethics Committee's directives and individuals' acknowledgment of those directives.

Due Date: September 1, 2021

FINANCIAL STANDARDS AND REPORTING PRACTICES

| ONGB Audit Standards Section B | | | | | |
|--------------------------------|--------------|-----------|-------------------|-----------------|-------------|
| Title | Standard | Compliant | Needs Improvement | Little Evidence | No Evidence |
| Financial Stability | B.1 a | X | | | |
| Financial Polices & Procedures | B.1 b | X | | | |
| USOPC Funding | B.1 c | X | | | |
| Financial Reporting to Board | B.1 d | X | | | |
| Board Approved Budget | B.2 a | X | | | |
| Accounting Practices | B.2 b | X | | | |
| NGB Provided Documents | B.3 a | X | | | |
| NGB Website Information | B.4 a, b & c | X | | | |
| Total | | 8 | 0 | 0 | 0 |

ATHLETE PROTECTION AND RIGHTS

| NGB Audit Standards Section C | | | | | |
|----------------------------------------------|---------------|-----------|-------------------|-----------------|-------------|
| Title | Standard | Compliant | Needs Improvement | Little Evidence | No Evidence |
| Child Protection and US Center for SafeSport | C.1 a and C.2 | X | | | |
| USOPC Athlete Safety Requirements | C.3 a | X | | | |
| Anti- Doping Policies | C.4 a | X | | | |
| Anti- Doping Policy Language | C.4 b | | X | | |
| Athlete Agreements | C.5 a | X | | | |
| Total | | 4 | 1 | 0 | 0 |

| Needs Improvement | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Anti-Doping Policy Language | Management Action Plan |
| <p>C.4 b: NGB must have USOPC approved anti-doping language in its Bylaws, membership agreements (if applicable), and license agreements (if applicable).</p> <p>FINDING: USA Archery has the required anti-doping language for NGBs with organization members but does not have the required anti-doping language for NGBs with individual members.</p> | <p>USA Archery will update anti-doping language to include the required anti-doping language for NGBs with individual members.</p> <p>Due Date: September 1, 2021</p> |

SPORT PERFORMANCE

| NGB Audit Standards Section D | | | | | |
|-----------------------------------|---------------|-----------|-------------------|-----------------|-------------|
| Title | Standard | Compliant | Needs Improvement | Little Evidence | No Evidence |
| Selection Procedures | D.1 a & D.5 b | X | | | |
| Delegation List Submission | D.3 a | X | | | |
| High Performance Plan Submission | D.4 a | X | | | |
| Event Sanctioning | D.4 b | | X | | |
| Paralympic Classification | D.4 c | X | | | |
| International Federation Standing | D.5 a | X | | | |
| Total | | 5 | 1 | 0 | 0 |

| Needs Improvement | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Event Sanctioning | Management Action Plan |
| <p>D.4 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.</p> <p>FINDING: USA Archery’s event sanctioning document does not have the proper anti-doping protocol as required by the IF.</p> | <p>USA Archery’s event sanction agreement has been updated to include the proper anti-doping protocol as required by the IF.</p> <p>Due Date: September 1, 2021</p> |

OPERATIONAL PERFORMANCE

| NGB Audit Standards Section E | | | | | |
|-------------------------------------------|-----------|-----------|-------------------|-----------------|-------------|
| Title | Standard | Compliant | Needs Improvement | Little Evidence | No Evidence |
| Managerial Capability | E.1 a | | X | | |
| Insurance Coverage | E.2 a | X | | | |
| Revenue Diversification | E.3 a | X | | | |
| Grievance Procedure | E.4 a & b | | X | | |
| Whistleblower and Anti-Retaliation Policy | E.5 a | | X | | |
| USOPC Trademark Protection | E.6 a – d | X | | | |
| Diversity and Inclusion Reporting | E.7 a | X | | | |
| Gender Equity | E.7 b | X | | | |
| Equal Opportunity | E.7 c | X | | | |
| Para Inclusive Sport Programs | E.7 d | X | | | |
| Diversity – Public Disclosure | E.7 e | X | | | |
| Strategic Planning | E.8 a | X | | | |
| USOPC Policy Compliance | E.9 a | X | | | |
| Total | | 10 | 3 | 0 | 0 |

| Needs Improvement | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Managerial Capability | Management Action Plan |
| <p>E.1 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.</p> <p>FINDING: Through discussions with various USOPC departments, Audit learned of athlete concerns that due to a perceived fear of retaliation they were hesitant to file complaints about USA Archery through the organization. According to the Implementation Guide, a factor in considering managerial capability is a reasonable volume of grievances or whistleblowing reports. Given the concerns reported to the USOPC and the low volume of complaints it is reasonable to conclude that the volume of grievances is low given the concerns reported to the USOPC.</p> | <p>USA Archery has invested in and conducted several athlete educational trainings over the course of the past 3 years related to high-performance culture development, including the development of a High-Performance Ethos, with athlete, coach, and staff participation. However, given this finding USA Archery will develop and document a communication and training plan to remind the AAC, Para AAC, and athlete members of the High-Performance Ethos, grievance procedures, and anti-retaliation policies in place. USA Archery will maintain these efforts on an ongoing basis and will provide its communication and training plan by September 1, 2021.</p> <p>Due Date: September 1, 2021</p> |
| Whistleblower and Anti-Retaliation Policy | Management Action Plan |
| <p>E.5 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 antiretaliation statement.</p> <p>FINDING: There are elements missing from USA Archery's Whistleblower and Anti-Retaliation Policy in the following areas: applicability, compliance with the Act, USOPC Bylaws, and definition of retaliation.</p> | <p>USA Archery will update the Whistleblower Policy to comply with the Act and USOPC bylaws. More specifically, USA Archery will denote the policy also applies to athletes and will define retaliation.</p> <p>Due Date: September 1, 2021</p> |
| Grievance Procedures | Management Action Plan |
| <p>E.4 a & b:</p> <p>a. NGB must provide prompt and equitable resolution of grievances as outlined in the Act §220522(a)(13).</p> <p>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). Specific requirements are outlined in the Implementation Guide.</p> <p>FINDING: In one complaint tested, USA Archery provided for a fair process, however, an Administrative Grievance was filed when it should have been filed as a SafeSport Violation</p> | <p>USA Archery will update the USA Archery bylaws to clarify that SafeSport complaints that do not fall under the USCSS’s exclusive jurisdiction will be filed with the USA Archery Board of Justice, and that each type of grievance will be categorized appropriately by the Board of Justice.</p> <p>Due Date: September 1, 2021</p> |

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| <p>per USA Archery's Bylaws. USA Archery's Bylaws do not specify that only complaints which fall under the U.S. Center for SafeSport's (the Center) exclusive jurisdiction will be sent to the Center when filed through USA Archery.</p> | |
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| <p>There is an outstanding finding related to expediated grievances noted in the previous USOPC audit. The USOPC was unable to test USA Archery's handling of expediated complaints because an expediated complaint has not been filed since the 2019 audit.</p> | |
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Findings in this report are currently in remediation. An addendum report will be issued at the end of the remediation period, up to 120 days post audit.

APPENDIX A — DEMONSTRATING COMPLIANCE DEMONSTRATION LEVEL DEFINITIONS

| Demonstrating Compliance Level Definitions | |
|--------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Level | Definition |
| Compliant | NGB meets the requirements. |
| Needs Improvement | NGB meets the majority of the requirements but need to make minor improvements to meet all the requirements. |
| Little Evidence of Compliance | NGB meets some of the requirements but not all of the requirements. |
| No Evidence of Compliance | NGB does not meet the requirements. |