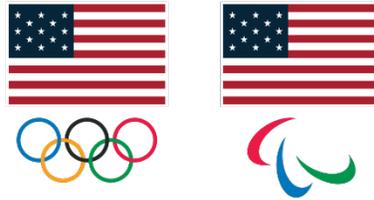

United States Olympic & Paralympic Committee

Audit & Organizational Advancement



Report for:
Lakeshore Foundation

Review of:
2019 Compliance Checklist

Dated:
March 23, 2020



UNITED STATES
OLYMPIC & PARALYMPIC
COMMITTEE
1 Olympic Plaza
Colorado Springs, CO 80909

March 23, 2020

Jeff Underwood
Chief Executive Officer
Lakeshore Foundation

Dear Jeff,

Enclosed is the United States Olympic and Paralympic Committee's (USOPC) report on the 2019 Compliance Checklist for Lakeshore Foundation (Lakeshore). We want to express our appreciation for the time you and your staff spent completing the Checklist and providing documents during the review.

Lakeshore was compliant as it specifically relates to the compliance checklist report for the questions outlined below in the following areas: governance/managerial; financial capability; due process and athlete representation; and anti-doping. There were initially five deficiencies identified in the following areas: governance/managerial; financial capability; and due process and athlete representation. With updates to its policies and website, Lakeshore remedied these deficiencies and is now fully compliant with the 2019 USOPC Compliance Checklist. There is also an additional observation in the report that when implemented, will improve the anti-doping policy.

As of September 13, 2019, the USOPC Board approved the revised NGB and HPMO Athlete Safety Policy. In an effort to align the Compliance Checklist process with the NGB and HPMO Athlete Safety Policy, eliminate redundancies, and ensure clarity as it relates to what entity is solely responsible for auditing SafeSport requirements, the auditing of athlete safety requirements now falls under the jurisdiction of the U.S. Center for SafeSport.

The report will be presented to the USOPC Athlete and NGB Engagement Committee and be made available on TeamUSA.org. 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,

Audit & Organizational Advancement Team

cc: Rick Adams Chris McCleary Tom Shufflebarger
Wendy Guthrie Denise Parker



2019 COMPLIANCE CHECKLIST REPORT

Lakeshore Foundation

OBJECTIVE AND SCOPE

The objective of the review is to verify Lakeshore is in compliance with key elements of the Ted Stevens Olympic and Amateur Sports Act, the USOPC Bylaws and certain USOPC policies, in order to demonstrate ongoing commitment to the values and requirements of membership in the USOPC. The scope includes the 2019 Compliance Checklist certified by Lakeshore and the supporting documents provided by Lakeshore. Compliance Checklist procedures are designed to verify that certain HP MO policies are in place. This Compliance Checklist does not conclude on the effectiveness of any policies reviewed. Additional audit procedures are completed on select HP MOs each year to verify various policies and processes are being followed.

The following chart shows all the requirements in the Compliance Checklist and corresponding status for Lakeshore. For any deficiencies, see the explanations and action plans after 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 your current bylaws posted on your website?	Compliant
3	Are you compliant with the insurance requirements as set forth in Exhibit 2 of the most recent PPA?	Compliant
4	Have you submitted, in a timely fashion, data and information on the participation of women, individuals with disabilities and racial and ethnic minorities in your athletic activities and administration?	Compliant
5	Have you submitted to the USOPC for review and approval a plan to encourage the participation of men, women, individuals with disabilities and racial and ethnic minorities in your amateur athletic activities and administration?	Compliant
Financial Capability		
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 USOPC 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	If you govern or operate a Paralympic Sport, do you have a Paralympic Sport Advisory Group that includes a combination of coaching staff, high performance staff and at least 20% Paralympic athlete representation to craft and approve selection procedures and to serve in an advisory capacity for high performance planning?	Compliant
Athlete Safety		
16	Do you have a USOPC-compliant Athlete Safety Policy?	*Transitioned to U.S. Center for SafeSport
Anti-Doping		
17	Do you inform Athletes, Athlete Support Personnel and other Persons in your sport of the USOPC National Anti-Doping Policy and of the USADA Protocol?	Compliant
18	Unless otherwise agreed by USADA, at least quarterly do you provide USADA with an updated list of athletes, proposed by your HP MO, 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
19	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?	Compliant
20	Do you have an identified staff member to act as a liaison with USADA?	Compliant

*The U.S. Center for SafeSport is in the process of taking jurisdiction over the auditing of Athlete Safety requirements for High Performance Management Organizations. To that end, as of 9/13/2019, the USOPC will no longer review Athlete Safety requirements which fall under the Center's jurisdiction.

DEFICIENCIES

<p>2. Do you have your current bylaws posted on your website?</p> <p>Lakeshore Foundation (Lakeshore) does not have its Bylaws posted online. As stated in Exhibit 1 of the Performance Partnership Agreement (Exhibit 1), Lakeshore “will make available on its website its bylaws and other governance documents.”</p> <p>Lakeshore Foundation Action Plan: Lakeshore will post its bylaws on lakeshore.org as well as on usawr.org. On usawr.org these will appear in the “About” section. On Lakeshore’s website, we have a section dedicated to rugby, it will appear there, under the “activity” section.</p> <p>USOPC Status Update: Audit verified Lakeshore posted bylaws to lakeshore.org and usawr.org. They are considered compliant as of March 10, 2020.</p>

6. Do you have your three most recent IRS Form 990s on your website?

Lakeshore did not have its three most recent IRS Form 990s posted to its website. According to Exhibit 1, Lakeshore “will provide USOC with a complete copy of its filed IRS Form 990 once it has been submitted to the IRS...and will make such form for the three most current years...available on its website.”

Lakeshore Foundation Action Plan: Lakeshore will post notification that the three most current 990s are available upon request on lakeshore.org as well as on usawr.org. On usawr.org this will appear in the “about” section. On Lakeshore’s website, we have a section dedicated to rugby, it will appear there, under the “activity” section.

USOPC Status Update: Audit verified Lakeshore posted notice that Form 990s are available upon member request and is now compliant as of March 10, 2020.

7. Have you completed and posted on your website your three most recent annual audited financial statements?

Lakeshore did not have its three most recent audited financials posted to its website. According to Exhibit 1, Lakeshore will also make “audited financial statements for the three most current years available on its website.”

Lakeshore Foundation Action Plan: Lakeshore will post its three most recent audited financial statements on lakeshore.org as well as on usawr.org. On usawr.org these will appear in the “about” section. On Lakeshore’s website, we have a section dedicated to rugby, it will appear there, under the “activity” section.

USOPC Status Update: Audit verified that Lakeshore posted its three most recent Audited financial statements to lakeshore.org and usawr.org and is now compliant as of March 10, 2020.

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

Members of hearing panels are not specifically required to be free of conflicts of interest. Additionally, grievances are filed with the Lakeshore Foundation CEO, who is responsible for appointing hearing panels. There is no provision in the Bylaws to ensure "equitable resolution" if a complaint is filed against the CEO. According to Exhibit 1, Lakeshore “must provide procedures for prompt and equitable resolution of grievances” before declaring an individual ineligible to participate. Having a disinterested hearing panel ensures an equitable resolution of a grievance.

Lakeshore Foundation Action Plan: Lakeshore will update Attachment D of the selection procedures.

USOPC Status Update: Lakeshore has updated its complaint procedures Section 6 to satisfy this deficiency and are considered compliant as of March 10, 2020.

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?

The grievance procedures do not provide for how fair notice of the charges and requested remedy are communicated to a respondent of a grievance. According to Exhibit 1, Lakeshore “must provide procedures for fair notice and an opportunity for a hearing” before declaring an individual ineligible to participate.

Lakeshore Foundation Action Plan: Lakeshore will update Attachment D on the selection procedures.

USOPC Status Update: Lakeshore has updated Section 6 of their Complaint Procedures to satisfy this

deficiency and are considered complaint as of March 10, 2020.

ADDITIONAL OBSERVATION

During the review we identified an additional area for improvement. The additional observation does not impact the compliant status but could impact it in the future.

Do you inform Athletes, Athlete Support Personnel and other Persons in your sport of the USOPC National Anti-Doping Policy and of the USADA Protocol?

In its Athlete Selection Procedures submitted for review, Lakeshore informs athletes of the USOPC National Anti-Doping Policy and USADA Protocol, however, athlete support personnel and other persons in the sport do not appear to be included in the notification of anti-doping requirements for participants. According to Section 12 of the PPA, Lakeshore will “comply with USOC anti-doping policies, protocols and procedures, as applicable.”

CONCLUSION

With updates to its website and policies, Lakeshore remedied its deficiencies and is now fully compliant with the USOPC's Compliance Checklist. The Compliance Checklist does not conclude on the effectiveness of any policies reviewed. Additional audit procedures are completed on select HPMOs each year to verify various policies and processes are being followed.