
United States Olympic & Paralympic Committee

Audit & Organizational Advancement



Report for:
US Squash

Review of:
Compliance Checklist

Dated:
August 13, 2019



COMPLIANCE CHECKLIST REPORT

US Squash

OBJECTIVE AND SCOPE

The objective of the review is to verify US Squash 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 2018 Compliance Checklist certified by US Squash and the supporting documents provided by US Squash. Compliance Checklist procedures are designed to verify that certain NGB policies are in place. This Compliance Checklist does not conclude on the effectiveness of any policies reviewed. Additional audit procedures are completed on select NGBs 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 US Squash. 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 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 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?	Deficient

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 USOPC SafeSport language in your bylaws that provides jurisdictions to the U.S. Center for Safe Sport?	Compliant
20	Do you have a USOPC-compliant Athlete Safety Policy?	Deficient
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 USOPC 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?	Compliant
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?

US Squash was deemed deficient because grievance procedures do not allow for complaints against the NGB regarding compliance pursuant to the Act or USOPC Bylaws. NGBs must have an internal process to manage grievances filed against the NGB. The policy states "or has a grievance with respect to US SQUASH" under the General Disciplinary Procedures, page 8, Section, C (1), however, it is not clear that this section would include hearing grievances regarding the NGB's compliance pursuant to the Act or USOPC Bylaws.

US Squash does not clearly identify how a grievance is filed. Such as, what information is required to initiate a complaint and who receives it?

US Squash Action Plan: We will update our grievance procedures as recommended by the Nominating and Governance Committee, to be adopted by the Board during its next meeting (April 2019).

USOPC Status Update: US Squash updated its Grievance Procedures to address this deficiency. Auditor verified this deficiency was remedied on August 6, 2019.

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?

There is no opportunity for a hearing before suspending a member on a provisional or permanent basis.

US Squash Action Plan: We will update our grievance procedures as recommended by the Nominating and Governance Committee, to be adopted by the Board during its next meeting (April 2019).

USOPC Status Update: US Squash updated its Grievance Procedures, however, US Squash's provision Addendum A, Section A (5) allows for the Judicial Committee to potentially not grant a party's request for a hearing. If the preliminary ruling impacts an individuals' right to participate, an opportunity for a hearing must be provided.

Do you require 20% athlete representation on all grievance panels?

In practice, US Squash has 20% athlete representation on the Nominating and Governance Committee which oversees grievances, however, no requirement was found in the Grievance Procedures document or Bylaws requiring 20% athlete representation on hearing panels.

US Squash Action Plan: We will update our grievance procedures as recommended by the Nominating and Governance Committee, to be adopted by the Board during its next meeting (April 2019).

USOPC Status Update: US Squash updated its Grievance Procedures to address this deficiency. Auditor verified this deficiency was remedied on August 6, 2019.

Do you have a USOPC-compliant Athlete Safety Policy?

US Squash was deemed deficient for the following:

- US Squash's SafeSport grievance procedures were deemed deficient as above and below.
- US Squash's policy does not clearly identify who the policy applies to. It requires individuals to comply to the USCSS' Code and the USOPC's policy but does not specifically state who needs to comply with US Squash's policy.

US Squash Action Plan: *We will update our grievance procedures as recommended by the Nominating and Governance Committee, to be adopted by the Board during its next meeting (April 2019).*

USOPC Status Update: US Squash updated its Grievance Procedures above and its online Athlete Safety Policy to address these elements of the deficiency, however, US Squash did not update its online athlete safety information to clearly identify that its policy applies to US Squash constituents.

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?

US Squash was deemed deficient because no grievance process exists in the SafeSport policy. If the intention is to utilize the Nominating Governance Committee Disciplinary and Grievance procedures, this should be clearly stated in the SafeSport policy. Additionally, the Disciplinary and Grievance procedures were deemed deficient as noted above in the due process section.

Currently, the online policy appears to suspend an individual without an opportunity to be heard. This was also noted in the due process section above.

US Squash Action Plan: *We will update our grievance procedures as recommended by the Nominating and Governance Committee, to be adopted by the Board during its next meeting (April 2019).*

USOPC Status Update: US Squash updated its Grievance Procedures above and its online Athlete Safety Policy to address the elements of this deficiency. Auditor verified this deficiency was remedied on August 6, 2019.

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?

US Squash does not inform the above-named entities of the USADA protocol and the USOPC National Anti-Doping policy in its bylaws. Additionally, the Elite Athlete Program document does not contain the required USADA notification language.

US Squash Action Plan: *We will add an annual protocol of communications to our athletes and USADA language to our EAP agreements.*

USOPC Status Update: US Squash updated its online USADA notification information to address this deficiency. Auditor verified compliance on August 7, 2019.

ADDITIONAL OBSERVATIONS

During the review we identified additional areas for improvement. The additional observations do not impact the compliant status but could impact it in the future.

Do you have a USOPC-compliant Athlete Safety Policy?

Auditor completed a review of US Squash's SafeSport program as of November 20, 2018. Auditor identified US Squash had not yet brought its SafeSport Policy into full compliance with the requirements which was required by December 2018. As US Squash's policy was submitted mid-2018 and reviewed in November 2018 these were not identified as deficient but may be considered deficient based on the requirements at the time of the next review. Note, the USOPC NGB Athlete Safety Policy (ASP) is currently under review and requirements may change in 2019. The following was identified during the review of US Squash's SafeSport policy:

- US Squash needs to ensure its prohibited conduct definitions either match or point to the USCSS definitions.
- US Squash does specify that background checks and SafeSport training will be completed within 60 days of the new role but does not state "before contact with athletes begins".
- US Squash needs to clearly publish if the background check requirement does not apply to certain or all people under 18 years of age.
- US Squash's SafeSport Policy needs to state that training is based on the USCSS information (or additional NGB materials).

Additionally, it is not yet required in the USOPC's NGB ASP, however NGBs must comply with the Protecting Youth Victims from Sexual Abuse and Safe Sport Authorization Act of 2017. US Squash should update policies to ensure it complies with the legislation.

USOPC Status Update: US Squash addressed all of the elements of this observation with its updated online Athlete Safety Policy, however, the background check section is missing information explaining "before contact with athletes begins."

CONCLUSION

US Squash must improve its due process and SafeSport policies to be 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 NGBs each year to verify various policies and processes are being followed.