
United States Olympic Committee

Audit Division



Report for:
USA Synchronized Swimming

Review of:
Compliance Checklist

Dated:
December 21, 2018



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Adam Andrasko
Executive Director
USA Synchronized Swimming

Dear Adam,

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

USSS was compliant in the areas as it specifically relates to the compliance checklist report for the questions outlined below in the following areas: governance/managerial, financial capabilities, and SafeSport. The review initially identified four deficiencies related to its due process, athlete representation, and anti-doping. Prior to issuance of the final report, three of the deficiencies were remedied, with one currently outstanding.

The report will be presented to the USOC Athlete and NGB Engagement Committee 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

cc: Rick Adams Chris McCleary Linda Loehndorf
Rachel Isaacs Denise Parker Megan Hansley
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COMPLIANCE CHECKLIST REPORT

USA Synchronized Swimming

OBJECTIVE AND SCOPE

The objective of the review is to verify USSS 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 USSS and the supporting documents provided by USSS. Compliance Checklist procedures are designed to verify that certain NGB policies or processes are in place. This Compliance Checklist does not conclude on the effectiveness of any policies or processes reviewed. 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 USSS. 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 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?	Deficient
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?	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?

USSS was deemed deficient for the following:

USSS should allow for members to file grievances within the organization related to its recognition as an NGB. Article 24 does not explicitly include acceptance of grievances regarding USSS' recognition as an NGB or USSS' compliance with Act or the USOC Bylaws.

Additionally, there is not an expedited hearing process identified in Article 24 for grievances that are managed by USSS. Depending on the situation, some hearings might need to be heard expeditiously in order to be considered promptly resolved.

USSS Action Plan: *Our Governance Committee will address the wording and have it completed in time for our annual convention the end of Sept. It will then be approved by our BOD, and then posted on our website within 30 days of the end of our convention.*

USOC Response: Auditor reviewed submitted grievance policy updates addressing both components of this issue. The submitted changes to USSS' grievance policy address the issues and USSS is compliant as of November 20, 2018.

Do you have at least 20% athlete representation on your board of directors?

USSS currently has eligible athlete representatives (reps) on its Board and meets the minimum 20% requirement. However, USSS' Bylaws do not follow Section 8.8.5 of the USOC Bylaws which requires that athlete reps are directly elected by athletes who meet the standards set forth in Section 8.8.2 of the USOC Bylaws. For committees and task forces, NGBs can select athletes with the approval of a representative group of athletes who meet the standards set forth in Section 8.8.3 in the USOC Bylaws.

The USSS Athlete Committee elects the Athletes Executive Council President and the other athlete reps on the Board. The Athlete Committee is comprised of individuals that meet Section 8.8.2 of the USOC's Bylaws. However, the Committee members are not elected by all the athletes that meet Section 8.8.2 requirements since the Athlete Committee elections take place at various Championships and any athlete present can vote. But that could exclude the athletes that represented the US in the Olympic Games, Pan American Games, Operation Gold events, or a World Championship within the ten (10) years preceding the election. USSS needs to update its Bylaws in Article 3, Section 3.02 (E) and any other associated language referring to the election of athlete representatives to the Board and Committees to comply with Section 8.8.5 of the USOC Bylaws.

USSS Action Plan: *The wording will be corrected per Section 8.8.5 and approved at our annual convention, approved by our BOD and posted within 30 days of the end of the convention.*

USOC Response: USSS is currently working on revamping its election process for athlete representatives on the Board of Directors and will present these proposed changes for approval by March 1, 2019.

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?

USSS has anti-doping information in its National Team Agreement, but the Agreement does not apply to athlete support personnel and other persons. Additionally, the Agreement does not include all the language USADA recommends for putting members on notice. USSS should have the USADA recommended language in its Bylaws to ensure all applicable individuals are made aware of the USOC National Anti-Doping Policy and the USADA Protocol.

USSS Action Plan: *The additional USADA language has been added to our National Team agreement and is posted on our website. We will add the USADA language to the Bylaws, have it approved at convention and then posted on our website within 30 following convention.*

USOC Response: Auditor reviewed submitted Administrative Rules updates addressing the USADA language issue. The submitted changes to USSS' Administrative Rules address the issue and USSS is compliant as of November 20, 2018.

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?

According to USADA, USSS did not provide an updated list in the first or second quarter of 2018. Therefore, USSS is not in compliance with this requirement. Even if the list of athletes does not change, USADA requires a verification of the athletes in the RTP.

USSS Action Plan: *Due to the resignation of our CEO/HPD, we were not aware of the quarterly report. Once notified, we have already submitted the updated list and have appointed a person to oversee this area for the future.*

USOC Response: USSS assigned a person to oversee the Quarterly RTP listing to USADA. USSS verified the latest quarterly report from USADA showed USSS being compliant. USSS is compliant as of November 20, 2018.

CONCLUSION

USSS must improve its athlete representation on committees to be fully compliant with the USOC's Compliance Checklist. The Compliance Checklist does not conclude on the effectiveness of any policies or processes reviewed. Additional audit procedures are completed on select NGBs each year to verify various policies and processes are being followed.