
United States Olympic Committee

Audit Division



Report for:
USA Climbing

Review of:
Compliance Checklist

Dated:
April 4, 2019



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Marc Norman
Chief Executive Officer
USA Climbing

Dear Marc,

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

USAC was compliant as it specifically relates to the compliance checklist report for the questions outlined below in the following areas: financial reporting, due process, SafeSport, and anti-doping. The review initially identified two deficiencies in the code of conduct and athlete representation. USAC has since remedied these deficiencies and is now fully compliant. There are also observations in the report that when implemented, would improve the strategic plan and athlete representation.

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 Patti Rube
Wendy Guthrie Denise Parker Joel Litvin
Onye Ikwuakor Sara Pflipsen



COMPLIANCE CHECKLIST PRELIMINARY FINDINGS

USA Climbing

OBJECTIVE AND SCOPE

The objective of the review is to verify USAC 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 USAC and the supporting documents provided by USAC. 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 National Governing Bodies (NGB) 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 USAC. For any deficiencies, see the explanations and action plans after the chart.

	Question	Answer
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?	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 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

* Of note, USAC was approved as the National Governing Body for the sport of sport climbing in the United States on October 13, 2017. Therefore, USAC was exempt from some or all of the requirement.

DEFICIENCIES

Do you have a code of conduct for your employees, members, board of directors and officers?

USAC has a Code of Conduct for Coaches, however it does not address employees, members, board of directors, or officers. USAC does have an annual requirement for all members of the staff, board of directors, and members of committees with board-delegated powers, to complete a Conflict of Interest Statement. The annual statement is an affirmation of Article 18 in the Bylaws entitled "Code of Ethics", and it is not required of athlete members to complete the form. Article 18 in the Bylaws is focused on conflicts of interest, not necessarily a behavioral code of conduct.

USAC Action Plan: USAC will update its policies, and where necessary Bylaws, to include employees, membership, BOD, and officers. We expect to have this complete no later than the end of February.

USOC Status Update: USAC updated its Bylaws, Article 18, to include a Code of Ethics/Conduct that meets the requirements of this element. The updated bylaws from USAC is uploaded in the Files tab. USAC is compliant as of March 22, 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 strategic plan that is capable of supporting athletes in achieving sustained competitive excellence, and in growing the sport?

USAC submitted a Strategic Plan, however the Plan, written in 2014, does not account for USAC's recently granted NGB status. USAC stated that updates are currently in development with their new leadership. The new Strategic Plan is expected to be completed in mid to late summer of 2019.

Do you have at least 20% athlete representation on your budget committee?

USAC's Athlete Representative for the Budget Committee does not meet the requirements of USOC Bylaws Sec 8.8.2, "Athlete Representatives may not be drawn from events that categorize entrants in age-restricted classifications commonly known as 'Juniors,' 'Masters,' 'Seniors,' 'Veterans,' or other similarly designated age-restricted competition." The athlete representative currently serving on the budget committee did not participate in an eligible competition to serve in this capacity.

USAC Action Plan: USAC is waiting for a final ruling from the USOC on Mr. Alderson. His term is currently scheduled to end Oct, 2019 as such we would like to replace him at that time, if that is not acceptable, then we ask for him to remain on the committee until a new athlete representative can be identified as we have had difficulties filling some athlete vacancies in the past.

USOC Response: USAC, as a sport newly added to the Olympic Games program, had a limited number of qualified athletes to run and/or vote in an athlete representative (rep) election. The USAC's athlete rep does not meet USOC requirements based on competing in an age-restricted event, however, the USOC did consider the event an elite level competition meeting the intent of Section 8.8.2. When the current athlete representative's term expires, USAC must ensure the next athlete rep on its budget committee

meets the USOC requirements in Section 8.8 of the USOC's Bylaws.

CONCLUSION

With USAC's remedies to the initial deficiencies identified during the USOC Compliance review, it is now fully compliant with the USOC's 2018 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.